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Preface

The *Pakistan Administration*, a Journal of National School of Public Policy (NSPP) is proud to complete its third year and sixth issue of publication. Over the last three years, the journal has strived to contribute to the academic discourse surrounding public policy issues in the country. More importantly, all the content of the journal has been the work of civil servants who are under training at NSPP.

By any measurable standard, our journal has been successful and has seen a steady increase in its readership. Its reputation and visibility in the academic community continues to broaden, and our editorial board constantly reassesses and revises the editorial process to ensure the most efficient and satisfying experience for both authors and staff. We are happy to present our Summer Issue of the journal.

All the articles have been selected through a rigorous process of peer review. Moreover, language editing process has also enhanced the quality of articles. In this June 2022 Issue we have included five case studies from participants of 115th National Management Course, two articles written by participants of 30th Senior Management Course, and three research articles contributed by 32nd Mid-Career Management Course participants.

The publication and improvement of *Pakistan Administration* has become possible only because of the continuous support from our researchers, editors, faculty and training participants for which we acknowledge and appreciate them.

Dr. Safdar Ali Sohail
Executive Editor

Editor's Note

Pakistan Administration has, over the last few years, strived to contribute to both the academic and practitioner-oriented researches and discourses of public administration and policy in Pakistan. In this issue, we continue to advance scholarship and understanding about a wide range of current governance issues in Pakistan. We have tried to ensure that the journal lives up to the high expectations set in place by the previous issue.

The current issue includes papers from different policy domains such as economy, foreign affairs, social services, institutional development, and change management.

The first article on Investment in the 'Blue Economy' of Baluchistan: Potential, Prospects, and Policy Options, by Dr. Hafeez Ahmad Jamali, critically assesses concepts of 'blue economy' and 'blue growth' within the context of Balochistan's economy. The article explains a framework developed for identification of the economic potential of Balochistan's coastline, coastal waters, and maritime Exclusive Economic Zone, after assessing and learning from the experiences of China and Indonesia. The critical question of devising strategies for mitigating social and ecological threats to the local population and environment make it a significant contribution to policy inputs on Baluchistan.

The study *Pakistan-Afghanistan-Uzbekistan Railroad Project: An analysis of the dynamics, challenges, implications and suggestions for addressing challenges* by Dr. Asima Rabbani reflects on the commitment of three regional countries to the project, vis-à-vis the security situation in Afghanistan that could cause considerable delays in its completion. The author ponders on the existing infrastructure available in Pakistan that could hamper regional connectivity and integration.

The case study entitled *Managing successful conclusion of the Third Biennial Review with European Union, leading to retention of Pakistan's GSP plus Status* by Aamir Shouket, examines the way Government of Pakistan acted to address the challenging issue of ensuring Pakistan's continued GSP Plus status. The author discusses the country's implementation of international conventions, with cross-cutting mandates and submission of timely reports to the European Union on national actions to this end.

The study entitled *Challenges of Pakistani Community in Bahrain: Role of Pakistan Embassy* by Saad Bin Rafiq analyses the sponsorship system governing the expatriate labour force in Bahrain and its exploitation by the authorities. It also reflects on some of the pressing issues of employees in blue-collar jobs. The author concludes that stemming labour exploitation could require the Government of Pakistan to amend the existing legal framework, integrate emigration organizations with the embassy through a portal, arrange the hiring of legal counsel in Bahrain and create a joint bilateral working group in Bahrain.

Imran Ahmed Siddiqui's case study *Pakistani over stayers in Jeddah: Managing a Deportation Case* seeks to deepen understanding about issues relating to Pakistani over stayers in Saudi Arabia. It further examines the existing legal and administrative frameworks relating to the issues faced by the Pakistani expatriate community in Saudi Arabia where foreign workers are often denied equal rights.

The case study presented by Hafiz Shakil Ahmad on *Connectivity with the World through International Postal System (IPS)* highlights strategies to bring about change in

a vital public sector institution in Pakistan. The case study presents an interesting situation in which the author took his seniors into confidence and motivated and trained operational staff to implement a change that not only fulfilled an international obligation but also met a customer demand. The author concludes that it is fallacious to presume that everybody in Pakistan is change-verse. He shows that it is imperative to the success of any initiative that all stakeholders are involved; only then does change become imminent.

Idrees Ahmad's paper *Saving the Face of Punjab Police: Learning from the Complexities of Zainab Case of Kasur* depicts the case of a minor girl's abduction and later recovery that became a national lightening rod. This case brought along a flood of demands from different segments of society for tracing out the perpetrator and extending exemplary punishment. The study presents an interesting and unique case that was tried in a court in the shortest period leading to conviction and finally execution of the culprit. The author gives credit to the police department for thinking outside the box/square for working out a serious case.

Managing Organizational Change in a Crisis Situation: of Case Study of NIM Lahore by Sijal Tauseef Khan depicts and critically evaluates the challenges brought about by Covid-19 upon training at NSPP. The study presents the case of NIM Lahore and shows how on-campus training activities were converted to an online mode without compromising the quality and spirit of learning. Factors that influenced the transformation included leadership, team building, change management, problem solving, decision making processes and use of technology.

The article *Role of Panaghahs in Providing Shelter to the Homeless in Punjab: Issues and Way Forward* by Fareeha Tahseen analyses the initiative and sustainability of establishment of the *panaghahs* in Punjab within the existing legal and administrative framework. The author eloquently compares the case of Pakistan with those of USA, Malaysia and India and shows how homelessness issues are being dealt for re-integration of the homeless into society.

Lastly, Adnan Mahmood Awan's paper *Municipal Service Delivery in Small Cities of Punjab* tries to understand the situation, issues and challenges in the delivery of essential municipal services in small cities of Punjab, and suggests measures for improvement. The study is significant not only because small cities have largely been ignored in academic and policy discourses but also because provision of such services is directly related to achievement of several targets under the SDGs.

It is a pleasure to present this issue of *Pakistan Administration* which aspires to be engaging and accessible to all scholars and readers interested in Pakistani public policy perspectives. We are hopeful that you will enjoy this Summer 2022 issue.

I also request submissions for the next issue of the journal within the domain-of public governance and civil/public service. Comments, feedback and suggestions would be most welcome.

Dr. Saif Ullah Khalid

Editor

Disclaimer

The views and ideas expressed in articles are those of the author(s) and not necessarily of the editorial board of *Pakistan Administration*, National School of Public Policy (NSPP) or of its affiliates. Articles are published in good faith and the authors(s) will be responsible for any incorrect or misleading cause of action arising from copyright infringements, plagiarism, or data.

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Investment in the ‘Blue Economy’ of Balochistan: Potential, Prospects, and Policy Options for Improvement in the Light of Global Best Practices

Dr. Hafeez Ahmed Jamali¹

Introduction

Pakistan is endowed with a large maritime economic zone whose development can be leveraged to supplement its traditional land-based economy for economic growth and employment generation. Based on international laws and maritime conventions, Pakistan’s Exclusive Economic Zone (EEZ), a part of the sea where Pakistan has exclusive rights over mineral and other economic resources, extends 200 nautical miles from its coastline and comprises an area of 240,000 square kilometers.² In 2015, the United Nations Commission on the Limits of Continental Shelf (UNCLCS) awarded an additional 150 nautical miles of continental shelf to Pakistan, thereby increasing the size of Pakistan’s EEZ to 290,000 KM.³ This makes Pakistan’s coastal waters and EEZ a virtual *fourth largest province/region* in terms of area. Based on its marine geology, this maritime region is divided into the Offshore Indus Basin and the Offshore Makran Basin.⁴

Figure 1: Geographical Extent and Composition of Pakistan’s Coastal Waters and Exclusive Economic Zone⁵



The greater part of this maritime zone is adjacent to Balochistan as the provincial coast comprises 73% (or about 770 kilometers) of Pakistan’s 1050 km. long coastline.⁶ Figure 1 shows the extent and administrative coverage of Pakistan’s maritime economic zone.

¹ Balochistan Civil Service, 30th SMC.

² Maliha Khan, “Human Resource Development: Investing in Balochistan’s Blue Economy” (May 10, 2020).

³ Baqir Sajjad Syed, “Pakistan Seabed Territory Grows by 50,000 Square Kilometres,” *DAWN.COM*, last modified March 21, 2015, accessed January 14, 2022, <http://www.dawn.com/news/1170986>.

⁴ S. M. Carmichael et al., “Geology and Hydrocarbon Potential of the Offshore Indus Basin, Pakistan,” *Petroleum Geoscience* 15, no. 2 (May 1, 2009): 107–116.

⁵ World Bank Group, *Revitalizing Pakistan’s Fisheries* (Washington DC: World Bank, June 2018), 36, <https://openknowledge.worldbank.org/handle/10986/30156>.

⁶ Asaf Humayun and Naghmana Zafar, “Pakistan’s ‘Blue Economy’: Potential and Prospects,” *Policy Perspectives: The Journal of the Institute of Policy Studies* 11, no. 1 (January 2014).

Balochistan is already well-positioned for investment in the maritime sector because of the integration of Balochistan’s coastline with regional and international trade routes through China Pakistan Economic Corridor (CPEC) and the start of economic activities via Gwadar Port.⁷ While these developments present vast opportunities for economic growth in Balochistan, they are also accompanied by significant threats to the fragile marine ecosystems and livelihoods of local fisherfolk communities.

The concept of ‘blue economy’ provides a vision of economic growth and a blue-print for social development by tapping the resources and potential of Balochistan’s coastal belt and adjacent maritime economic zone in a sustainable manner, and in line with international best practices. The word ‘blue’ in ‘blue economy’ refers to the oceans and the seas. It is this “blue economy” or *marine-based economic development* that leads to economic growth and social equity while minimizing environmental and ecological risks.⁸

Statement of the Problem

Balochistan’s coastal belt and its adjacent maritime zone in the Offshore Makran Basin provide significant opportunities for marine-based economic development. Current development plans at the federal and provincial levels are focused on a limited number of sectors without considering the broader potential of Balochistan’s maritime economy as well as the ecological, economic, and human well-being – primarily livelihood stability – concerns and threats. Therefore, there is a need to firstly identify a balanced and integrated economic development approach based on the ‘blue economy’ (or ‘blue growth’) framework for identifying the economic potential of Balochistan’s coastline, coastal waters, and maritime Exclusive Economic Zone (EEZ) and, secondly, devise appropriate strategies for mitigating the social and ecological threats to the local people and the environment.

Significance and Scope of the Study

The purposes of this research are as below:

- (i) assess the usefulness of the ‘blue economy’ concept as an analytical paradigm in development planning;
- (ii) explore the opportunities for ocean-centric economic growth (or ‘blue growth’) offered by Balochistan’s coastline and the contiguous maritime zone;
- (iii) identify the challenges facing the realization of this potential; and

⁷ Asad Umar, “CPEC 2.0: Taking Pak-China Relationship to New Heights,” *Express Tribune*, July 5, 2021, accessed January 9, 2022, <https://tribune.com.pk/story/2308850/cpec-20-taking-pak-china-relationship-to-new-heights>.

⁸ United Nations, “Blue Economy Concept Paper,” *Sustainable Development Knowledge Platform* (2014): 3–3.

- (iv) make some preliminary recommendations for realizing the opportunities for the development of the maritime economy.

The geographic focus of this study is on Balochistan's 770 kilometer long coastal belt, comprising Gwadar and Lasbela districts, and the Offshore Makran Basin which includes the coastal waters and the contiguous EEZ belonging to Pakistan. National and international geographical linkages impacting the development of this region also form a part of the study.

Thematically, the study focuses on three important sets of ocean-centric industries: firstly, traditional marine industries, such as sustainable fisheries, marine shipping and transportation, and coastal tourism; secondly, emerging industries such as marine aquaculture and offshore renewable energy; and, lastly, prospective industries such as deep-sea mining and marine biotechnology. Moreover, the analysis and recommendations in this study are informed by the experience and best practices of China and Indonesia in the development of the blue economy.

Review of Literature

Blue economy approach can be defined as the use of *oceanic resources* for promotion of "economic growth, social inclusion, and preservation or improvement of livelihoods while at the same time ensuring environmental sustainability."⁹

Key pillars or components of an economic development strategy based on the concept of 'blue economy' include: promotion of sustainable fisheries and aquaculture; development of ocean-based industries such as maritime shipping, coastal tourism, and renewable energy; ecological conservation of oceans to support its sustainable use; and, capacity building of government and local communities for sustainable use of ocean-based natural resources.¹⁰

An alternative term for 'blue economy' is 'blue growth' which refers to the achievement of sustainable economic growth using the resources of the 'blue economy'. It can be argued that, until recently, Pakistan's economic development framework has been characterized by the neglect of the economic potential and significance of our coastline and oceans that is often described by the term "sea-blindness."¹¹ This paper uses the term 'blue economy' to denote ocean-based economic activities and industrial sectors whereas the term 'blue growth' is used to denote the development framework for enhancing the 'blue economy'.

⁹ United Nations, "Goal 14 | Department of Economic and Social Affairs."

¹⁰ World Bank, *Blue Economy Development Framework*, African Ministerial Conference on Ocean Economies and Climate Change (Mauritius: World Bank, 2016), accessed January 9, 2022, <https://thedocs.worldbank.org/en/doc/446441473349079068-0010022016/AMCOECC-Blue-Economy-Development-Framework>.

¹¹ Aneel Salman and Jawaria Abbasi, *Blue Growth: A Sustainable Ocean-Led Development Paradigm (SODP) for Pakistan*, Working Paper (2019, n.d.), www.maritimestudyforum.org.

For several reasons the concept of blue economy and blue economic growth have taken center stage in international development thinking over the last decade. Two separate concerns from contrasting viewpoints of economics and ecology have brought this issue to the fore. The first concern is the extraordinary growth of economic activity in and around the world's oceans which has been termed 'industrialization of the oceans'.¹² The role of oceans in the global economy is undergoing a transformation from being only a medium for global trade and a source of food security to becoming an 'economic force' due to its close association with multiple emerging industries such as offshore renewable energy production, deep sea-bed mining, and marine biotechnology. Although reliable estimates of the share of the oceans and coastal belts in the GDP of individual countries and global economic output are lacking, rough estimates suggest that the world's oceans contribute the equivalent of US\$ 24 trillion to global economic activity in direct and indirect benefits.¹³ According to the country level data, China's maritime economy contributed US\$ 962 billion or 10% of Chinese GDP in 2014 and provided employment to nine (09) million people. Similarly, the United States estimated the value of its ocean economy at US\$ 258 billion or 1.8% of its GDP, and Indonesia, a developing country, valued its maritime economy at 20% of its GDP.¹⁴ This realization of the 'economic value' of the oceanic resources has led many nation-states to plan and strategize the use of their coastal and oceanic regions in a more effective manner.

Secondly, this growing economic activity in and around oceans has set off alarm bells across the world regarding the ability of seas and oceans to withstand ecological and environmental burdens placed upon them by rapid economic growth without compromising their health and causing permanent damage to marine ecology and resources. It is widely stated that oceans produce 50% of the world's oxygen, absorb one-third of CO² emissions, and absorb more than 90% of heat caused due to changes in the atmosphere. Over the last century, mean sea levels have risen by eight inches, average ocean temperatures have increased by 0.6 degrees Fahrenheit, and the acidity of seawater has increased by 30%, with rates of increase doubling in the last two decades.¹⁵ These changes have led to degradation of marine habitats and loss of fish species, more frequent and destructive cyclones, deadly heatwaves in coastal areas, and coastal erosion.¹⁶

The Small Island Developing States (SIDs), a group of 38 UN member states, were the first to propose the concept of 'blue growth' at the United Nations Conference on

¹² Economist Intelligence Unit, *The Blue Economy: Growth, Opportunity and a Sustainable Ocean Economy*, Economist Intelligence Unit briefing paper (The Economist Group, 2015), accessed January 9, 2022, <https://impact.economist.com/perspectives/sustainability/blue-economy>.

¹³ Brian Shaw et al., *Value at Risk in the Blue Economy* (Amsterdam: Metabolic Inc., 2019), 6, accessed January 10, 2022, <https://www.metabolic.nl/publication/value-at-risk-in-the-blue-economy/>.

¹⁴ Economist Intelligence Unit, *The Blue Economy: Growth, Opportunity and a Sustainable Ocean Economy*.

¹⁵ NASA, "Climate Change Evidence," *Climate Change: Vital Signs of the Planet*, last modified 2021, accessed January 10, 2022, <https://climate.nasa.gov/evidence>.

¹⁶ Shaw et al., *Value at Risk in the Blue Economy*, 8.

Sustainable Development in 2012.¹⁷ The SIDs demanded that a dedicated framework of ‘blue growth’ is required for the sustainable development of the ocean-based ‘blue economy’ in the same way as an environmentally sustainable ‘green growth’ framework has been developed for the land-based ‘brown economy’.¹⁸ Accordingly, the UN explicitly recognized the conservation and sustainable use of oceanic resources as a distinct goal under SDG 14 entitled “Life Below Water” and outlined ten concrete targets and sub-targets including sustainable fishing, increasing economic benefits from marine resources, reducing marine pollution, and protecting and restoring marine ecosystems.¹⁹

While there are various interpretations of the ‘blue economy’ development framework, the key sectors of the blue economy can be divided into two important categories for the sake of analysis and planning, namely, the traditional sectors and the emerging sectors. The traditional sectors of the blue economy include maritime shipping and transport, off-shore oil and gas extraction, and fisheries and aquaculture. Emerging sectors include offshore wind and wave energy production, deep-water seabed mining, coastal tourism, and marine biotechnology and medicine.²⁰ Figure 2 below, adapted from 2018 EU Report on the Blue Economy, is a schematic representation of the ‘blue economy’ development framework as applied to the context of the European Union.

Figure 2: Elements of Blue Economy Framework²¹



¹⁷ This conference is also known as the Earth Summit or Rio+20 conference.

¹⁸ Anne Maria Eikeset et al., “What Is Blue Growth? The Semantics of ‘Sustainable Development’ of Marine Environments,” *Marine Policy* 87 (January 2018): 177–179.

¹⁹ United Nations, “Goal 14 | Department of Economic and Social Affairs.”

²⁰ Directorate-General for Maritime Affairs and Fisheries (European Commission), *The 2018 Annual Economic Report on EU Blue Economy - Publications Office of the EU*, Annual Report, July 17, 2018AD, 16–22, accessed January 21, 2022, <https://op.europa.eu/en/publication-detail/-/publication/79299d10-8a35-11e8-ac6a-01aa75ed71a1>.

²¹ *Ibid.*, 5.

While 'blue economy' and 'blue growth' have emerged as important concepts for promoting sustainable development, this conceptual and developmental framework has been critiqued by environmental activists and development experts. Blue growth development framework has been critiqued for the lack of an agreed upon definition among the relevant stakeholders, the likelihood of overpromising benefits of this approach by its advocates, lack of actionable policies and measurable outputs, and the threat of over-exploitation of oceanic resources by powerful nations and multinational companies under the guise of 'blue growth.'²² The lack of a generally agreed upon understanding of 'blue growth' model means that 'blue growth' may imply greater policy emphasis on the conservation of marine ecology for some stakeholders whereas other stakeholders may take it to mean the maximization of economic growth by exploiting more marine resources.²³

Secondly, there is the risk of overpromising benefits of a 'blue growth' strategy by its advocates who tend to depict the seas and the ocean as vast unexplored spaces providing lucrative opportunities for wealth creation.²⁴ There is also a danger that these advocates of 'blue growth' may not recognize how much damage has already been done to marine environments and, therefore, they downplay the environmental costs of opening more coastal and oceanic spaces for exploitation of marine resources.²⁵ For instance, Mialy Andriamahefazafy and colleagues have analyzed the policies and practices of deep-sea fishing for tuna fish in Madagascar, Mauritius, Seychelles, and in the SIDs that are the leading proponents of a 'blue growth' based development. They have found out that, contrary to the public claims of these countries regarding sustainable fishing, their policies and practices support intensive fishing of tuna by large boat operators which is rapidly depleting tuna fish stocks in the Western Indian Ocean region and putting the livelihoods of small fisherfolk at risk.²⁶

Review of existing literature suggests that concepts of 'blue economy' and 'blue growth' provide a promising new development framework that opens new vistas of economic development and job creation in multiple sectors, such as, sustainable fisheries, coastal tourism, renewable energy, and marine biotechnology. However, the adoption of this new framework should be tempered by the reality of intensive extraction of biological and non-biological marine resources and the widespread damage already inflicted on marine ecology by intensive economic activity.

²² Wiebren J. Boonstra, Matilda Valman, and Emma Björkvik, "A Sea of Many Colours – How Relevant Is Blue Growth for Capture Fisheries in the Global North, and Vice Versa?" *Marine Policy* 87 (January 2018): 340–349.

²³ Eikeset et al., "What Is Blue Growth? The Semantics of 'Sustainable Development' of Marine Environments."

²⁴ Boonstra, Valman, and Björkvik, "A Sea of Many Colours – How Relevant Is Blue Growth for Capture Fisheries in the Global North, and Vice Versa?"

²⁵ Ibid.

²⁶ Mialy Andriamahefazafy et al., "The Paradox of Sustainable Tuna Fisheries in the Western Indian Ocean: Between Visions of Blue Economy and Realities of Accumulation," *Sustainability Science* 15, no. 1 (January 2020): 75–89.

Research Methodology

A mixed methods approach has been adopted in this study to address the research problem within an over-arching qualitative research paradigm. The choice of a *qualitative research paradigm* is justified by its analytical usefulness, time limitations, and the researcher's strength in the use of qualitative techniques. Since this study involves exploratory research on a relatively new development paradigm, a qualitative approach is more suitable for it. The study, therefore, relies on qualitative methods such as document analysis, case studies, and expert interviews, both structured and semi-structured. These were supplemented by secondary quantitative data gleaned from the available published reports and other official sources. The sampling strategy for this research is based on convenience or opportunistic sampling since limitations of time and logistics did not allow adoption of representative sampling.

Data Sources

The primary data sources for this study include interviews carried out over phone and through an online questionnaire administered to key stakeholders in the public sector. In addition, official documents including reports, working papers, and presentations compiled by Balochistan Coastal Development Authority (BCDA), Directorate of Fisheries, Government of Balochistan, Gwadar Development Authority, Gwadar Port Authority, and the federal Ministry of Planning, Development, and Special Initiatives provided a wealth of primary data for analysis. Secondary data included published reports and statistics on the fisheries sector and the blue economy.

Organization of the Paper

The paper is organized as follows. Section I outlines the development profile and the existing condition of the blue economy in Balochistan, including a discussion of the key economic sectors. Section II examines prospects for the development of blue economy in Balochistan in the light of international best practices with special reference to the Chinese and Indonesian experiences in the development of the blue economy. Section III proposes a framework for developing the blue economy in Balochistan, keeping in view the existing challenges. The paper concludes by making some preliminary recommendations for realizing the full potential of the blue economy in specific sectors.

Section I

Development Profile and the Current Status of Blue Economy in Balochistan

Balochistan is the largest province of Pakistan comprising 44% of its landmass but only 5% of its population. It has a large coastline which stretches for 770 kilometers from the mouth of Hub River (near Karachi) to Gwatar Bay (*Khalij-e-Gawater*) on Pak-Iran border. Administratively, the coastline is divided between Lasbela District (Kalat Division) and Gwadar District (Makran Division) with populations of 574,292 and 263,514, respectively.²⁷ Important urban settlements and geographical features of Balochistan's coastal belt are shown in Fig 3 below. The adjacent maritime zone along the coastal belt is administratively divided into three zones. Zone I includes coastal waters up to 12 nautical miles from the land which is primarily used for *small scale fishing* and forms part of the jurisdiction of the provincial government. Zone II and Zone III extend from 12-20 nautical miles and 20-200 Miles, respectively, from the coastline as shown in Figure 1 in the previous section. Zone III is used by medium and large sized vessels for *deep-sea fishing*. Both Zone II and Zone III fall under the jurisdiction of the Federal Government.²⁸

Figure 3: Topographical Features and Settlements on Balochistan's Coast²⁹



²⁷ Population Census Organization, *Population of Pakistan by Province/ Region in All Six Censuses* (Pakistan Bureau of Statistics, Ministry of Planning Development & Special Initiatives, Government of Pakistan, 2017), accessed January 14, 2022, <https://www.pbs.gov.pk/pco-balochistan-tables>.

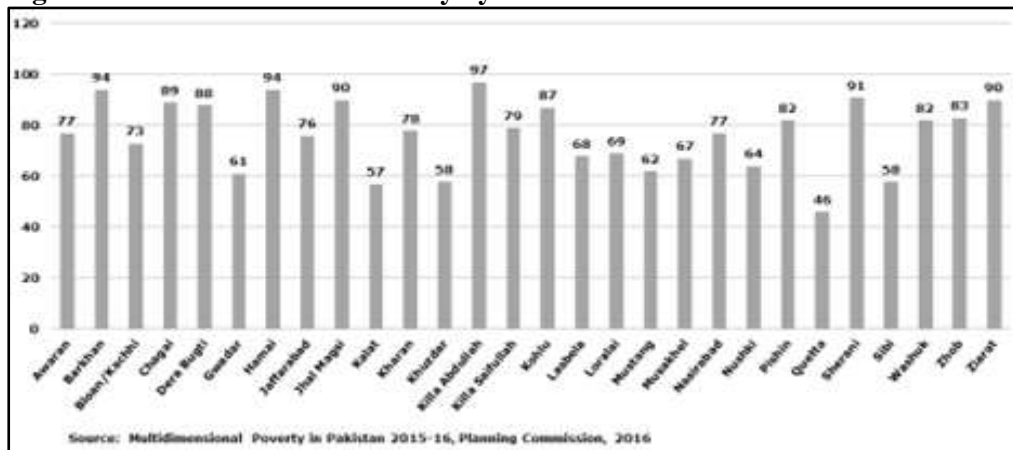
²⁸ Government of Balochistan, "Balochistan Coastal Development Proposal" (Directorate of Fisheries, Fisheries and Coastal Development Department, Government of Balochistan, March 18, 2019).

²⁹ Government of Pakistan, "Progress Review of Southern Balochistan Development Plan" (Ministry of Planning, Islamabad, November 4, 2021).

1.1 Socio-Economic Profile of Balochistan Coast

Balochistan Province has some of the lowest socio-economic indicators in the country. The percentage of the households living below the poverty line is 52% but rural poverty is alarmingly high with 75% people classified as poor.³⁰ The province also suffers from poor road connectivity with a road density of 0.15 kilometers roads/ km. sq. which is less than half of the national average for road density. The coastal districts of Gwadar and Lasbela have 61% and 68% of their population living in poverty according to the criteria of multidimensional poverty compared to the national average of 38.8% as shown in Figure 4 below.³¹ Fisheries, small-scale agriculture, and livestock remain the major sources of livelihood for a majority of households in Gwadar and Lasbela districts. Figure 4 below shows multidimensional poverty by district in Balochistan.

Figure 4: Multidimensional Poverty by District in Balochistan



1.2 Physical Infrastructure and Connectivity

Availability of an adequate communication structure and a reliable energy supply is a prerequisite for the development of the blue economy. Due to concerted efforts by the provincial and federal governments, and massive investments under the auspices of CPEC, the coastal belt has seen remarkable improvement in the development of communication and physical infrastructure. Horizontal and vertical connectivity have been improved through two major highways, namely, the Makran Coastal Highway N-10 and Surab-Panjgur-Hoshab-Gwadar Highway N-85. Additionally, the remaining sections of Gwadar-Ratodero Motorway M-8 are also being constructed at a rapid pace which will further cement the north-south connectivity of the coastal belt. Gwadar

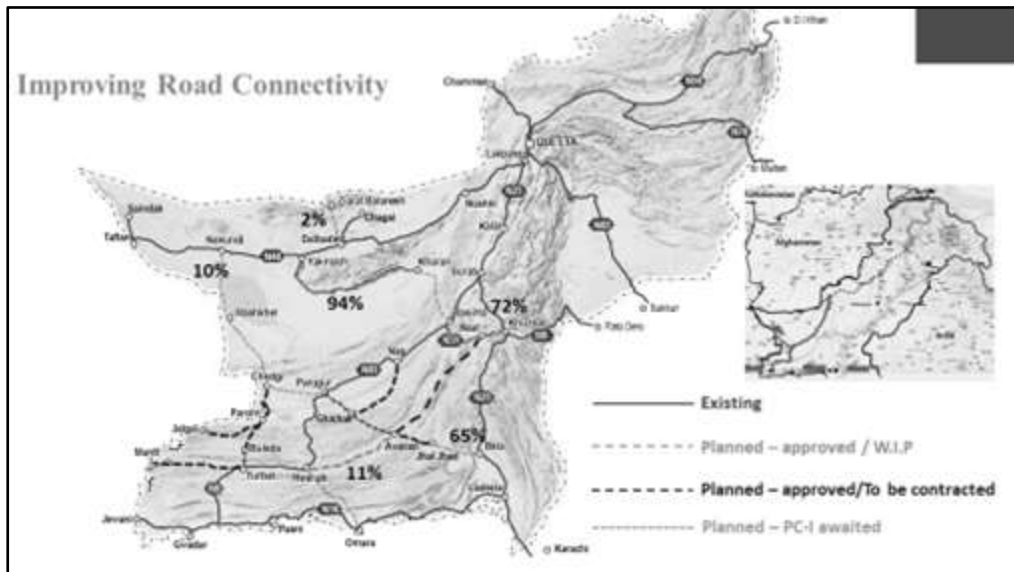
³⁰ International Fund for Agricultural Development, “GLLSP II Project Design Report October 2019,” IFAD, 6, last modified October 1, 2019, accessed January 14, 2022, <https://www.ifad.org/en/-/document/pakistan-2000002331-gllsp-ii-project-design-report-october-2019>.

³¹ Government of Balochistan, *Draft Balochistan Comprehensive Development and Growth Strategy 2019-25* (Quetta: Planning and Development Department, Government of Balochistan, 2021), 30.

Deepwater Port has become operational since 2018 and international cargo ships regularly call on the port.³² Work on allied infrastructure of Gwadar Port, such as, Gwadar East Bay Expressway and New Gwadar International Airport (NGIA), 300 MW Gwadar Coal Power Plant, and interconnection of isolated areas in Makran with the national grid is proceeding at a rapid pace.³³ These projects will ensure steady supply of energy and national and global connectivity for the emerging port city. Figure 5 below depicts both existing and new projects for highway connectivity in southern Balochistan and the coastal belt.

Nevertheless, the rapid pace of infrastructure development in Gwadar and threat of the influx of people from rest of Pakistan has created a palpable sense of resentment among the local people which has been exacerbated by the failure of federal and provincial governments to ensure steady provision of basic amenities such as electricity, clean drinking water, and municipal services to the local people. This sense of resentment was deepened by and fed into a low intensity ethno-nationalist insurgency that has kept the province in its grip for more than a decade and has negatively affected the pace of socio-economic development in the coastal belt.³⁴

Figure 5: Existing and Planned Highways and Roads in Southern Balochistan³⁵



³² News, "First-Ever Container Vessel under CPEC Arrives at Gwadar Port," *The News* (Karachi, March 7, 2018), Online edition, accessed February 19, 2022, <https://www.thenews.com.pk/latest/289561-first-ever-container-vessel-under-cpec-arrives-at-gwadar-port>.

³³ Government of Pakistan, "Progress Review of Southern Balochistan Development Plan."

³⁴ Hafeez A. Jamali, "The Anxiety of Development: Megaprojects and the Politics of Place in Gwadar, Pakistan" (January 2013), accessed January 15, 2022, <https://bonndoc.ulb.uni-bonn.de/xmlui/handle/20.500.11811/129>.

³⁵ Government of Pakistan, "Progress Review of Southern Balochistan Development Plan."

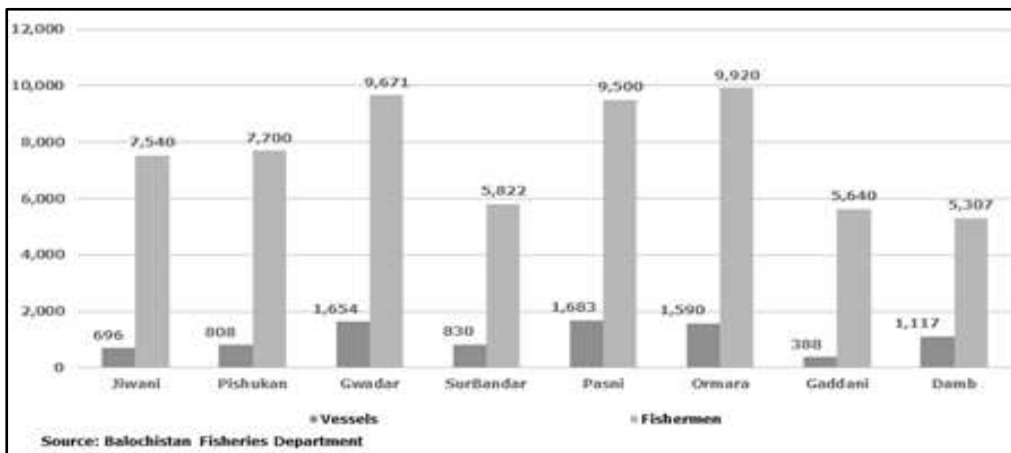
1.3 State of the Maritime Economy in Balochistan

This section provides an overview of the existing state of the blue economy in Balochistan. This is done by analyzing the traditional maritime economy sectors such as fisheries and aquaculture, maritime transportation and shipping services, and coastal tourism.

1.3.1 Fisheries and Aquaculture

The fisheries sector is an important contributor to Pakistan's overall economy and is source of food security and livelihood for many coastal communities. The fisheries sector in Balochistan directly employs 64,226 fisherfolk whose families depend on income from fishing for their bread and butter. Balochistan contributes PKR 15.6 billion in this respect which is 34% of the total fisheries income of Pakistan.³⁶ However, the overall share of fisheries in Pakistan's value added is only 1% which suggests that the potential of the fisheries sector is underutilized.³⁷ Figure 6 below shows the number of fisherfolk and registered fishing vessels in Balochistan.

Figure 6: Registered Vessels and Fisherfolk Population in Balochistan



There are 38 important commercial fish species in Balochistan and the maximum sustainable yield (MSY) of fish has been estimated at 300,000 metric tons (MT) against fish stock of 600,000 MT available in the sea. Out of this fish stock, about 140,000 MT (64%) is caught by Balochistan-based fishing vessels. 80,000 MT fish or 36% of the fish catch is caught and carried away by Sindh-based trawlers which is major source

³⁶ Muhammad Noman et al., "An Economic Analysis of Fisheries Sector of Balochistan, Pakistan: Current Status and Future Potential," *Indian Journal of Geo-Marine Sciences* 47 (September 1, 2018): 1731.

³⁷ Ibid.

of resentment among the fisherfolk of Balochistan.³⁸ The fish handling, processing, and storage infrastructure on Balochistan coast is very limited. Berthing/landing facilities along the coast are available only at three places, namely, Gwadar, Pasni and Gaddani. Moreover, the fish landing jetties at Pasni (Gwadar District), Damb/Sonmiani, and Gaddani (Lasbela District) have silted up due to poor design of the fish harbors.³⁹ Figure 7 below shows the percentage of fish landed at the fish harbours of Balochistan.⁴⁰

Figure 7: Percentage of Fish Catch at Fish Landing Sites of Balochistan⁴¹



The foregoing analysis indicates that the fisheries sector operating on Balochistan’s coastline is a significant source of livelihood and income for the people of Balochistan, but this sector is underperforming on nearly all three criteria of a ‘blue growth’ development framework. The marine fisheries are operating below their maximum sustainable yield due to poor fish handling and processing infrastructure.⁴² Secondly, fish yield is either stagnant or declining in terms of value due to overfishing of a small number of commercial species. This has been confirmed in individual interviews with officials of Fisheries and Coastal Development Department and representatives of civil society in Gwadar.⁴³ This declining trend is consistent with national level assessment of marine fish stocks carried out under the auspices of the Food and Agriculture Organization (FAO).⁴⁴ Furthermore, the prevalent growth in fisheries in Balochistan’s coastal waters is not inclusive because a large portion of fish catch goes to large boats

³⁸ Zubair Qureshi, “Pakistan to Ban Illegal Trawlers from Gwadar Waters,” *Gulf News*, December 12, 2021, accessed January 15, 2022, <https://gulfnews.com/world/asia/pakistan/pakistan-to-ban-illegal-trawlers-from-gwadar-waters-1.84350781>.

³⁹ Government of Balochistan, “Balochistan Coastal Development Proposal,” 4.

⁴⁰ Government of Balochistan, *Draft Balochistan Comprehensive Development and Growth Strategy 2019-25* (Quetta: Planning and Development Department, Government of Balochistan, 2021), 98.

⁴¹ Ibid.

⁴² World Bank Group, *Revitalizing Pakistan’s Fisheries*.

⁴³ Nasir Rahim Sohrabi, “Fisheries and Livelihoods of Local People in Gwadar,” January 8, 2022.

⁴⁴ World Bank Group, *Revitalizing Pakistan’s Fisheries*, 23.

and trawlers from outside Balochistan which has compelled the local small-scale fisherfolk to launch protests and sit-ins against the ‘trawler’ mafia on a regular basis.⁴⁵

1.3.2 Maritime Shipping and Transportation

With the launch of Gwadar Port and start of projects under the CPEC, Balochistan’s coastline has seen a rise in its national and international profile. The start of operations by the Gwadar Deepwater Port and completion of infrastructure projects under CPEC has led to the start of shipping and maritime services activities in Gwadar. Presently, the China Oversea Port Holding Corporation (COPHC) is operating Gwadar International Terminals, Gwadar Marine Services Limited, and Gwadar Free Zone Company which are providing comprehensive international shipping and marine services under the Landlord Port Authority Model arrangements with Gwadar Port Authority (GPA).⁴⁶ In addition to regular weekly calls by COSCO Shipping Lines, Gwadar Port is also handling container traffic for Pak-Afghan Transit Trade (PATT).⁴⁷

Nevertheless, the maritime transportation and shipping capacity of Gwadar Port is significantly underutilized because upcountry rail and road links are still incomplete.⁴⁸ Even though the Makran Coastal Highway N-10 and Surab-Panjgur-Hoshab Highway N-85 provide good connectivity with the rest of the country via N-25 Quetta-Karachi Highway, these are not dualized roads and may not be able to serve the large volume of cargo vehicles with heavy loads commensurate with increased port traffic. Moreover, national freight carriers and international maritime shipping lines have been reluctant to utilize Gwadar Port due to their sense of insecurity on account of the law and order situation in Balochistan. Due to these reasons, Gwadar Port is yet to realize its full potential and contribute to the blue economy in Pakistan.

1.3.3 Industrial Development

Coastal areas and resources are major drivers of economic growth and development for countries around the world. Industrial activity on Balochistan’s coastline is concentrated mainly in and around Hub city in Lasbela District and it is complemented by an emergent industrial cluster in Gwadar under CPEC. Lasbela District has a strong industrial base in the form of Hub Industrial and Trading Estate (HITE), Gaddani Marble City, and Windar Industrial and Trading Estate.⁴⁹ The HITE Industrial Zone

⁴⁵ Government of Balochistan, “Balochistan Coastal Development Proposal.”

⁴⁶ COPHC, “Businesses,” *China Overseas Port Holding Corporation, Pakistan*, last modified 2021, accessed January 15, 2022, <http://www.cophcgwadar.com/businesses.aspx>.

⁴⁷ COPHC Pakistan, “Shipping Lines,” last modified 2021, accessed January 15, 2022, <http://www.cophcgwadar.com/shipline.aspx>.

⁴⁸ Naseer Khan, “Port Services and Development Projects in Gwadar Sponsored by Gwadar Port Authority,” January 14, 2022.

⁴⁹ Lasbela Industrial Estate Developing Authority (LIEDA), “Industrial Estates - LIEDA,” Government Website, *Lasbela Industrial Estate Developing Authority (LIEDA)*, last modified 2021, accessed January 15, 2022, <https://www.lieda.gov.pk/IndustrialEstates.html>.

has more than 300 registered industrial units in multiple sectors.⁵⁰ Similarly, a nascent industrial cluster and maritime shipping industry is emerging in Gwadar with the establishment of Gwadar Port, Gwadar Free Trade Zone, and Gwadar Industrial Estate.⁵¹

However, the industrial sector on Balochistan's coastline is not performing well in terms of industrial growth and utilization of industrial capacity. HITE, the largest industrial zone, has witnessed a flight of industry due to the expiration of special tax concessions and the increasing cost of electricity and gas for the industry. Presently, only 90 industrial units out of 300 are functioning.⁵² The Gwadar Free Zone and Gwadar Industrial Estate have a lot of potential, but 15 years after the completion of the port this potential is still to be realized.

1.3.4 Coastal Ecological and Heritage Tourism

Balochistan's coastline is endowed with a unique landscape studded with spectacular cliffs, mountains, living mud volcanoes, golden sandy beaches, wild life sanctuaries, marine protected areas, and world renowned archaeological and heritage sites.⁵³ The Makran Coast Range has beautifully sculpted mountains and exotic landscape forms, such as the Princess of Hope, which parallel world-famous sites like the Grand Canyon in the United States.⁵⁴ In addition, the coastal belt is home to golden beaches of Sonmiani, Kund Malir, Jiwani, Malan, and Ganz which can be developed for tourism and water sports. Moreover, this region has unique ecological zones such as Sonmiani and Kalamat bays, the marine protected area of Astola Island (*Haft Talar*), and the vast Hingol National Park which is home to the Sindh Ibex. In addition, the coastal area is home to ancient archaeological and pilgrimage sites of Hinglaj Mata Mandir, Gondrani Cave City (Lasbela District), the tomb of Arab General Muhammad Bin Haroon and the intricately carved monuments of Chaukhandi Tombs. However, due to the lack of investment in basic tourist amenities and deteriorating law and order situation, the actual tourist traffic is negligible.

⁵⁰ LIEDA, "Major Types of Industries Established - LIEDA," *Lasbela Industrial Estates Development Authority*, accessed January 15, 2022, <https://www.lieda.gov.pk/IndustriesTypes.html>.

⁵¹ COPHC, "Gwadar Free Zone Company Limited," *China Overseas Port Holding Corporation, Pakistan*, accessed January 15, 2022, <http://www.cophcgwadar.com/gfz.aspx>.

⁵² A. Kasi, A. Raziq, and N. Khan, "Exploring Environmental Sustainability Practices in Pakistani SMEs," *Journal of Independent Studies & Research* 17, no. 2 (2019): 28.

⁵³ Muhammad Tahir, *Integrated Coastal Zone Management Plan for Pakistan* (International Union for the Conservation of Nature (IUCN), Pakistan, 2011), 12, accessed January 15, 2022, <https://www.iucn.org/asia/countries/pakistan/promoting-integrated-coastal-management>.

⁵⁴ This description is based on the author's personal travel and observation on the Makran Coast.

Section II

Prospects for Blue Economic Development in Balochistan

Having taken an overview of the traditional blue economy of Balochistan, it is important to highlight the prospects for its development in the light of international best practices. For this successful international models of blue growth in both developed and developing countries must be seen; subsequently, both traditional and emerging sectors of blue economy that can be prioritized for development in Balochistan may be identified. It is important to bear in mind that successful development of a blue growth strategy relies on Marine Spatial Planning (MSP), that is, the process of identifying and allocating coastal and marine areas for relevant economic activities in a systematic way.⁵⁵

2.1 International Best Practices for the Development of the Blue Economy

Since 2012, blue growth has been adopted by many countries as a macro-economic level development and investment strategy for advancing their maritime economies. In 2012, the European Union (EU) put forth the ‘blue growth’ strategy as the cornerstone of its marine policies. The EU it has outlined high priority development areas and specific targets for the future.⁵⁶ In the Indian Ocean region, member countries of the Indian Ocean Rim Association (IORA), have collectively embraced the principles of blue growth economic development framework by adopting the Jakarta Declaration on the Blue Economy in 2017.⁵⁷ China and Indonesia have taken significant steps towards adopting the principles of blue growth approach to develop their maritime resources in a sustainable manner. Within South Asia, Sri Lanka, India, and Bangladesh have taken some initial steps towards the development of the blue economy but these steps are significantly behind similar initiatives in Africa, East Asia, and Europe.

Based on a review of international developments in the adoption of a blue growth framework, the development models of Indonesia and China are reviewed in greater detail below. The reason for selecting these countries for comparison is that Indonesia is multi-ethnic country with a large Muslim population like Pakistan. Although China is very different from Pakistan in terms of its population and governance structures, it is a good choice for comparison because of the deep economic and cultural ties between the two countries that allow better translation of strategies from the Chinese experience of blue growth to the Pakistani context.

⁵⁵ UNESCO, “Marine Spatial Planning | IOC UNESCO,” Official Website, *Intergovernmental Oceanographic Commission, United Nations Educational Scientific and Cultural Organization*, last modified 2021, accessed January 15, 2022, <https://ioc.unesco.org/our-work/marine-spatial-planning>.

⁵⁶ Lu Wenhai et al., “Successful Blue Economy Examples with an Emphasis on International Perspectives,” *Frontiers in Marine Science* 6 (June 7, 2019): 261.

⁵⁷ IORA, “Blue Economy – Indian Ocean Rim Association – IORA,” *Indian Ocean Rim Association*, accessed January 15, 2022, <https://www.iora.int/en/priorities-focus-areas/blue-economy>.

2.1.1 Chinese Experience in the Development of Blue Economy

China's coastal regions are major drivers of Chinese economic growth, accounting for 20% of its landmass but sustaining 40% of its population and contributing 60% of Chinese GDP.⁵⁸ While the Chinese government paid no heed to environmental and sustainability factors in its initial pursuit of rapid economic growth, Chinese political leaders and policymakers have become more sensitive towards environmental concerns as they faced the growing reality of the negative effects of runaway growth by way of air, water, and marine pollution and rapid decline of the country's natural resource endowments. In 2015, the National Development and Reform Commission (NDRC) set important goals under the 13th Five-Year Plan (2016- 2020) to promote new scientific and technological inventions in biotechnological applications of marine organisms, desalination, modern marine services utilization of IT, and other emerging industries, while safeguarding its marine ecology and environment at the same time.⁵⁹

In addition to national plans, the Chinese government adopted a ten-year Marine Economy Development Plan (2011-2020), in which the Shandong, Zhejiang, and Guangdong provinces were chosen as models for demonstrating the effectiveness of a sustainable maritime economy. The Shandong Peninsula Blue Economic Zone (SPBEZ) was one of the model marine industrial clusters embodying principles of innovation and sustainability.⁶⁰ The key components of blue growth in the SPBEZ included establishment of a world class center of marine science, a model zone for national level economic reform, and a demonstration zone for the concept of a marine ecological civilization (EC). This concept of an ecological civilization is an indigenous Chinese model for sustainable development that requires a balance between industry and environment through careful management. By 2015, the SPBEZ had established the foundations of marine industry, achieved high level capabilities in the application of innovative marine science and technology, and significantly improved the quality of ocean ecology.⁶¹ As a result of these initiatives, the Chinese maritime economy is making a slow but steady transition from low- and middle-tech industries to hi-tech innovative industries which place less burden on its oceans environment.

2.1.2 Indonesia's Experience in Developing the Blue Economy

Indonesia was the first IORA member country to propose adoption of principles of blue growth for developing marine industry and sustainable fisheries. The major policy steps taken by Indonesia to develop its blue economy include, boosting regional economic development; promoting environmentally responsible production systems; and encouraging creative and innovative investments. As part of this strategy,

⁵⁸ FICCI, *Blue Economy - Global Best Practices and Opportunities for Indian Industry*, Aug 11, 2020 (New Delhi: Federation of Indian Chambers of Commerce and Industry, 2019), 43, accessed January 15, 2022, http://ficci.in/desk-study-page.asp?sp_id=&deskid=54530.

⁵⁹ FICCI, *Blue Economy - Global Best Practices and Opportunities for Indian Industry*, Aug 11, 2020.

⁶⁰ Wenhai et al., "Successful Blue Economy Examples with an Emphasis on International Perspectives."

⁶¹ Ibid.

Indonesia has focused on developing marine fisheries, marine transportation and tourism, renewable energy systems, and designating special economic zones as blue economy demonstration zones. Indonesia is establishing model Blue Economy Zones in Lombok and Anambas Islands, and the Tomini Bay.⁶²

2.2 Prospects for the Development of Blue Economy in Balochistan

These international models and best practices suggest that it is possible to realize the benefits of blue economy if governments are willing to commit themselves to sustainable development of their maritime economic and marine resources. While there are many sectors of blue economy appropriate for development of the Balochistan coast, only three important sectors are discussed in more detail due to the limited scope of this study. These sectors include sustainable fisheries, maritime transportation and shipment, and coastal tourism.

2.2.1 Mature Industries

Sustainable Fisheries

The contribution of fisheries on the Balochistan coast to the local and national economies can be increased significantly by investing in the conservation of marine fish stocks, improving existing outdated fisheries' regulations, investing in the fisheries value chain, and training fisherfolk in adoption of improved fishing gear and sanitary practices in fish handling. The emphasis in the fisheries sector in Balochistan needs to shift from fish quantity to greater value addition in order to reduce the pressure on fish stocks in coastal waters and allow the regeneration of adequate fish stocks.⁶³ Moreover, fishing efforts can be redirected from coastal waters to offshore fishing in deep sea where there is potential for catching large edible fish, such as, tuna and mackerel, as well as smaller, less palatable, species, such as, lantern fish, which can be harvested for producing high quality nutritional supplements and food products for export. China has a growing market for consumption of fish and the sustainably harvested fish could be exported directly to China and other export destinations, such as, EU and the Middle East, from Gwadar Port.

2.2.2 Emerging Sectors

Maritime Transportation and Shipping Services

This is the most promising sector of blue economy on the Balochistan coastline whose potential remains underutilized despite the availability of significant infrastructure in the shape of the Gwadar Port and the allied network of highways and roads. The maritime traffic of Gwadar Port can be increased significantly by completing the

⁶² Ibid.

⁶³ World Bank Group, *Revitalizing Pakistan's Fisheries*, 43.

remaining portions of M-8 Gwadar-Ratodero Highway and building the Gwadar-Besima-Jacobabad Railway Line to link Gwadar Port with the main north-south transport arteries of the country.⁶⁴ In addition, shipping services at Gwadar can be expanded by building the proposed Gwadar Shipyard which will complement Gwadar Port by providing comprehensive repair, maintenance, rehabilitation, and dry-dock services to cargo vessels anchoring there.

Coastal Eco-Tourism

Balochistan’s vast coastline offers unique opportunities for eco-tourism, adventure tourism, water sports, and heritage tourism for both the domestic and the international markets. The coastal belt’s tourism potential can be realized with minimal investment in tourism infrastructure, such as, the addition of well-equipped rest areas on the Makran Coastal Highway, development of tourist resorts at key locations, and an appropriate marketing strategy. The start of a ferry service from Gwadar to Karachi and Muscat can be done to increase tourist traffic on the Makran Coast.

Marine Aquaculture

In addition to capture fisheries, marine aquaculture (or cage farming) on Balochistan coast provides another opportunity to increase overall fish production and exports. Globally, marine aquaculture is one of the fastest growing sectors and an ever-larger portion of world’s fish supply is coming from marine fish farming. Pakistan can build on its success in commercial farming of fresh water fish such as rohu, tilapia, and trout, to encourage marine farming. Many species of fin-fish and shellfish are suitable for marine aquaculture and cage farming, such as, milk-fish, groupers, snappers, shrimps, prawns, and lobsters.⁶⁵

2.2.3 Prospective and Innovative Industries

Prospective industries such as power supply from offshore tidal and wind energy, development of marine biotechnology, and sea-bed mining are technology driven. While the necessary conditions for their development in Pakistan’s EEZ are not ripe yet, this should not prevent the federal and provincial governments from investing in necessary facilities for research towards development of these industries. Proper assessment of commercial potential of off-shore tidal energy sites, deep-sea minerals, and medicinal flora and fauna is necessary for making informed decisions about exploiting these resources. In particular, the ‘mesopelagic zone,’ a marine ecological zone that extends from 200 to 1000 meters below the water’s surface has significant

⁶⁴ CPEC Authority, “Railways Network of CPEC | China-Pakistan Economic Corridor (CPEC) Authority Official Website,” Official Website, *China Pakistan Economic Corridor Authority*, last modified 2021, accessed January 22, 2022, <http://cpec.gov.pk/map-single/2>.

⁶⁵ Fisheries Development Board, “Penculture Fish Farming – Fisheries Development Board,” Official Website, *Fisheries Development Board (Pakistan)*, last modified 2021, accessed January 22, 2022, <http://fdb.org.pk/penculture-fish-farming/>.

prospects for the exploration of edible fish, development of dietary supplements from fish, and pharmaceutical products.⁶⁶

2.3 Government Efforts for Development of Blue Economy in Balochistan

It is encouraging to note that there is a growing realization among the federal and provincial governments regarding the significance of the blue economy. Interviews and informal discussions with federal and provincial government officers have revealed that some steps towards sustainable use of oceans and marine areas for economic growth have already been undertaken.⁶⁷ The Prime Minister of Pakistan declared 2020 as the Year of the Blue Economy and the Ministry of Maritime Affairs (MoMA) is exploring options for growth of the blue economy in exploration of EEZ, marine food processing, and shipping industry sectors.⁶⁸ Government of Pakistan is also working with the World Bank and the UNDP to develop a roadmap for the development of the blue economy.⁶⁹ Similarly, the new draft Balochistan Comprehensive Development and Growth Strategy 2021-25, being developed by Government of Balochistan with the technical assistance of the UNDP, attempts to address some aspects of the development of the blue economy.⁷⁰

In addition, both existing federal and provincial government development plans and projects address various sectors of blue economy although these have not been framed in terms of an explicit 'blue growth' strategy. Gwadar Development Authority (GDA), with the support of the Ministry of Planning Development and Special Initiatives (MoPD&SI), has developed and adopted the Gwadar Smart Port City Master Plan 2017-2050 (GSPCMP) which mandates eco-friendly land-use planning for Gwadar Town.⁷¹ The federal government led Accelerated Development Plan for Southern Balochistan (SBDP) is an ambitious Rs. 600 billion long-term development package that contains significant provisions for the development of civic amenities and the physical and digital connectivity of Makran Coast.⁷²

The Balochistan Coastal Development Authority (BCDA) has recently become attentive to its broader mandate regarding the sustainable development of the coastline

⁶⁶ Manuel Hidalgo and Howard I Browman, "Developing the Knowledge Base Needed to Sustainably Manage Mesopelagic Resources," *ICES Journal of Marine Science* 76, no. 3 (May 1, 2019): 609–615.

⁶⁷ Naseer Khan Kashani, "Stakeholder Perceptions Interview Regarding the Blue Economy with Chairman Gwadar Port Authority," February 10, 2022.

⁶⁸ Ministry of Maritime Affairs, "2020- Year of the Blue Economy," Official Website, *Ministry of Maritime Affairs, Government of Pakistan*, last modified 2020, accessed January 22, 2022, <https://moma.gov.pk/Detail/MjZlYTQ5MzAtNWRmYy00YjkzLTljZmMtMTJiOTJjOTY1Mjk1>.

⁶⁹ Fawad Yousafzai, "Government, World Bank Working to Advance Development of Blue Economy Roadmap," *The Nation* (Lahore, November 25, 2021), Online Edition, sec. Business, accessed January 22, 2022, <https://nation.com.pk/25-Nov-2021/govt-world-bank-working-to-advance-development-of-blue-economy-roadmap>.

⁷⁰ Zulfiqar Durrani, "Online Stakeholder Perceptions Interview with Mr. Zulfiqar Durrani, Head of Office, UNDP Balochistan," February 18, 2022.

⁷¹ Gwadar Development Authority, "Presentation on the Gwadar Smart Port City Master Plan" (Government of Balochistan, 2019).

⁷² Cdre. Jawad Akhtar, "Stakeholder Perceptions Interview with Advisor, Maritime Affairs, Planning Division," February 12, 2022.

and has embarked on some key initiatives for its development. The BCDA is carrying out a feasibility study for developing an integrated master plan for the entire Balochistan coast. It is also spearheading the development of tourism infrastructure on the coast including the construction of eco-friendly tourist resorts and beach parks, development of rest areas on the Makran Coastal Highway to facilitate tourists, and the construction of floating jetties to facilitate local fisherfolk and tourists. The BCDA is also exploring construction of additional authorized fish landing jetties to facilitate local fisherfolk in offloading and handling their fish. In addition, the provincial government has launched the Gwadar-Lasbela Livelihood Support Program (Phase-II), with technical and financial support from the International Food and Agricultural Development Organization (IFAD), to improve rural infrastructure, develop the fisheries sector, and carry out community development works in 382 villages in coastal districts.

Commendable as these efforts to promote blue economy may be, these are fragmented and lack an over-arching strategic vision of sustainable development for Balochistan's coastline and contiguous maritime zone. Specifically, the existing development projects under various initiatives, such as, CEPC and SBDP, are more narrowly focused on specific economic and social sectors and maritime localities, such as Gwadar, and do not take a holistic view of the resource potential of Balochistan's coastline and the Offshore Makran Basin.

Section III

Governance Challenges and Development of an Enabling Framework for Blue Growth

This section attempts to identify the main governance challenges and propose a broad framework for developing the blue economy in Balochistan. This is done in order to align the development programs and priorities in the coastal belt with a blue growth strategy so as to achieve the desired results. The pillars of such a strategy are economic growth, environmental sustainability, and social equity. Although, the focus of this paper has been on the province of Balochistan, many aspects of coastal and maritime development come under the purview of the federal government and hence these aspects will be addressed alongside provincial level concerns.

3.1 Marine Spatial Planning for Sustainable Use of Ocean Resources

Pakistan has a broad vision for economic development of its coastal areas which has been articulated in the official Vision 2025, CPEC Long Term Plan, and the Balochistan Comprehensive Development Strategy (BCDS). Under CPEC, the Makran Coast is placed in the Southern Coastal Business and Logistics Zone and two special industrial clusters are being developed on the Balochistan coast in the form of Gwadar

Free Zone and Hub Special Economic Zone.⁷³ The provincial and federal governments are also engaged in environmental conservation under various projects as part of Pakistan's commitment to SDG 13 regarding climate action. However, there appears to be a disconnect, and at times outright contradiction, between the economic development planning and environmental conservation as well as between different sectoral development strategies which are operating in silos. It is important to bring these under one umbrella by adopting MSP of the entire Pakistani coastline and the Exclusive Economic Zone (EEZ), including Balochistan. MSP will enable the federal and provincial governments to divide the coastal belt and the EEZ into different functional zones for promotion of a sustainable maritime economy and protection of the marine environment.

3.2 Streamlining Coastal and Maritime Governance

Presently, coastal and maritime governance is fragmented and spread across several ministries and departments at the federal and provincial levels, such as the ministries of Maritime Affairs (MoMA), Industries & Production, Defence, Balochistan Coastal Development Authority, and the provincial Environment, Sports, and Youth Affairs Department. The existence of multiple authorities and a plethora of mandates has also led to weak enforcement and lack of initiative among the regulatory departments. It is important to review existing policies to rationalize these and assign clear roles and responsibilities for regulating and promoting specific economic activities on the Balochistan coast based on MSP.

Firstly, the lead departments at the federal and provincial levels, MoMA and the provincial Fisheries and Coastal Development Department, have traditionally been focused on ports and shipping and fisheries sectors respectively. There is a need to change the policy orientation of these departments towards the broader objectives of maritime economic development and coastal development, respectively. Secondly, while the Federal Government has issued revised shipping and fisheries policies and provided incentives to the private sector to invest in these sectors, Government of Balochistan is still working on reforming its fisheries rules and has a very weak enforcement mechanism in the fisheries and environmental protection sectors.⁷⁴

3.3 Ocean Knowledge and Blue Skills Development

The transition from traditional land-based economy towards a sustainable blue economy cannot take place without a clear plan for investment in the development of ocean knowledge and 'blue skills.' At present, Pakistan lacks a detailed understanding of the ecological dynamics of the sea and coastal regions. Furthermore, the workforce in Balochistan does not have the requisite skills for success in the maritime sector and

⁷³ Ministry of Planning Development, and Special Initiatives, "Long Term Plan for China-Pakistan Economic Corridor (2017-2030)" (Government of Pakistan, 2019), accessed January 23, 2022, <http://cpec.gov.pk/long-term-plan-cpec>.

⁷⁴ Government of Balochistan, *Draft Balochistan Comprehensive Development and Growth Strategy 2019-25*, 100.

the emerging blue economy. There are some established TVET (technical and vocational education and training) institutions in Hub (Lasbela District) and the Pak-China Technical and Vocational Institute at Gwadar has recently started imparting training in various occupational skills to local people. Similarly, Lasbela University of Agriculture, Water, and Marine Sciences (LUAWMS) at Uthal is carrying out basic scientific research pertaining to the marine sector. However, the research and training carried out by these TVET and higher education institutions is pitched at an elementary level and lacks the requisite breadth and quality to prepare for a transition to blue economy. Therefore, there is a simultaneous need to firstly reassess the categories of professional skills and trades being taught at the TVET institutions in Balochistan vis-a-vis the skill set required for successful employment in various sectors of the blue economy and to subsequently upgrade the training programs, human resources, and teaching aids accordingly.

3.4 Financing for Blue Growth and Development

Since the federal and provincial governments have limited financial resources, a dedicated strategy for mobilizing financial resources from all sectors i.e. the domestic public and private sectors, and international development agencies will be required for pursuing a blue growth strategy.

Conclusion

The coastal belt and its adjacent maritime economic zone in Balochistan present significant opportunities for development of the maritime economy under the 'blue growth' development framework. The federal and provincial governments have already embarked upon major initiatives for the development of the blue economy in the industrial, maritime shipping, and coastal tourism sectors. However, these initiatives lack an over-arching framework that can integrate economic activities on the coast, coastal waters, and the deep sea into a holistic endeavor with a clear understanding of their economic, social, and environmental dimensions as well as an appropriate sequencing of development activities. The adoption of a blue growth framework, based on MSP for sustainable use of oceanic resources, streamlining of coastal and maritime governance arrangements, and development of ocean knowledge and maritime skills, can realign development programs and priorities to realize the economic potential of Balochistan's coastal belt.

Recommendations

The recommendations proposed here derive from an analysis of the enabling framework for blue economy proposed earlier. Since blue economy and blue growth are a new and emerging development models, these recommendations may be viewed more as signposts on the road towards the blue economy rather than definitive policy guidelines.

i) Integrated Coastal and Marine Spatial Planning

The federal MOMA, should take the lead in carrying out detailed MSP of the coastal belt and the EEZ of Pakistan, including the Balochistan coast, and divide coastal land, coastal waters, and deep-sea marine areas into different functional zones based on their social, economic, and environmental characteristics and use. The planning exercise should comprise a detailed survey of the topographical, hydrological, and geological features of the coastal belt, involve extensive stakeholder consultation, especially with the local fisherfolk communities, and draw on secondary data collected by marine scientists. Building on the existing cooperation mechanisms under CPEC and Pakistan-China Joint Economic Committee, the assistance of the Chinese experts from the State Oceanic Administration may be solicited to benefit from the Chinese experience in Marine Functional Zoning (MFZ) to undertake this exercise.

Using a survey exercise as a baseline, the Balochistan coast and the contiguous maritime zones can be divided into broad categories of use, such as, environmental conservation, infrastructure and industrial development, social development, heritage conservation, and strategic and defence requirements. Existing areas of the coastal belt and the maritime zone already allocated for industrial, environmental, or strategic uses will necessarily become part of the new plan. Drawing on the broad functional zones defined by the MSP functional zoning, the provincial Planning and Development Department and the BCDA should develop a more detailed master plan for the Balochistan coast and allocate areas of the coastal belt for different economic activities by the public and private sectors. The principles adopted in the preparation of Gwadar Smart Port City Development Plan can be taken as a model for developing a long-term plan for the entire Balochistan coast.

ii) Sectoral Development Priorities

The federal MoPD&SI, MoMA, and provincial P&D Department, in consultation with stakeholder ministries and departments, should develop a ten-year Perspective Blue Economy Development Plan which outlines the key sectoral priorities for the Balochistan coast. From the perspective of this paper, the key economic sectors can be divided into the categories of mature, emerging, and prospective/innovative sectors and their development can be phased accordingly. Specifically, the federal Fisheries Development Board and the provincial Fisheries and Coastal Development Department should make the fisheries industry more sustainable by investing in the value-chain of the fisheries, reduce pressure on existing fish stocks, and provide incentives to the private sector to invest in marine aquaculture. The federal ministries of Communications and Railways should strengthen emerging maritime shipping and transportation industry by completing the remaining sections of M-8 Gwadar-Ratodero Highway expeditiously and mobilizing financing for the Gwadar-Besima-Khuzdar-Jacobabad section of M-3 railway line on priority basis.

At the provincial level, a Blue Economy Development Wing may be established under the Strategic Planning and Reforms Cell of the Planning and Development Department to provide policy guidance and oversee policy implementation. Moreover, the BCDA and the provincial Culture and Tourism Department, in consultation with Pakistan Tourism Development Corporation should develop specific coastal and marine areas tailored to tourism products, such as, water sports, SCUBA diving, wildlife parks, heritage tourism, and beach activities that appeal to a wide cross-section of tourists.

iii) Improving Maritime Governance

The federal and provincial governments should review and rationalize existing maritime and fisheries laws, regulations, and policies in order to streamline maritime governance. In particular, the federal Exclusive Fisheries (Regulation of Fishing) Act, 1975 should be replaced with new legislation that takes account of the changed ground realities and provides an effective enforcement mechanism to thwart illegal and unauthorized activity of fishing vessels in Pakistan's EEZ. Similarly, the Government of Balochistan should revise the Balochistan Fisheries Ordinance 1971 and Balochistan Sea Fisheries (Amendment) Act 2014 and its subordinate legislation to provide a more effective mechanism against encroachment of trawlers and deep-sea fishing vessels into coastal waters. Moreover, there is a need for creating a broad-based consensus among various stakeholders, such as, the Pakistan Coast Guards, the Maritime Security Agency, the enforcement arm of provincial Fisheries Department, and the district courts, to adopt a zero-tolerance policy towards unauthorized fishing by large trawlers and the use of illegal trawl-nets which compromise the livelihoods of small fisherfolk in Balochistan.

iv) Skills Development for the Blue Economy

The existing institutional set up of the technical and vocational training in Balochistan is inadequate for preparing a trained workforce for the development of the blue economy in Balochistan. It is, therefore, recommended that the Ministry of Federal Education and Professional Training, the Pakistan Council for Scientific and Industrial Research, and the Balochistan Technical, Educational, and Vocational Training Authority (B-TEVTA) should work together to identify the gaps in the existing TVET system in Balochistan pertaining to the maritime sector and the blue economy. The concerned federal ministries and scientific organizations should facilitate B-TEVTA to plug the skills gap by introducing new vocational training programs, revise its curricula, and acquire additional human resources for imparting technical training. As part of this endeavor, the existing Pak-China Technical and Vocational Institute Gwadar, the Pakistan Scientific and Technical Center Gwadar, and the Technical Training Center at Hub may be declared as centers of excellence for TVET training. These model technical institutes should be run on an innovative management model involving significant participation by industry experts in their management to bring their training standards in line with the requirements of industrial and maritime sectors.

v) Excellence in Ocean Knowledge for Innovative Sectors

In order to take advantage of the oceanic resources of Pakistan's coastline and EEZ and to manage our coastal and oceanic resources appropriately, detailed scientific research and knowledge of the oceans is necessary. It is proposed that the Higher Education Commission of Pakistan may facilitate the establishment of a new center of excellence in marine science and biotechnology at the LUAWMS and enhance the capacity of the university to carry out advanced scientific research through collaboration and exchange of faculty and research students with leading national and foreign universities. For instance, collaborative arrangements with leading Chinese universities in the fields of marine science and biotechnology, such as, the Ocean University of China, can be made to benefit from Chinese experience in the development of marine biotechnology. In addition, the capacity of the National Institute of Oceanography (NIO) may be enhanced to carry out advanced scientific research in the prospective blue economy sectors, such as, renewable energy, deep seabed mining, and marine biotechnology. The Ministry of Science and Technology may facilitate the NIO in upgrading its existing Research Sub-Station at Gwadar to a fully-fledged research station, and help NIO establish additional research stations along the Balochistan coast to facilitate advanced research and data collection.

vi) Mobilizing Financial Resources for Blue Growth

Financial resources for pursuing a blue growth strategy may be mobilized by enhancing existing public sector development funds for coastal and maritime development, encouraging the private sector to invest in new initiatives, and mobilizing funds from international donors. In particular, the World Bank's ProBlue Blue Economy Program may be tapped into for this purpose since it has been specifically created for helping developing countries in promoting the blue economy.⁷⁵ In addition, the platform of UNDP may be used to mobilize additional financing for the development of blue economy under climate finance window.

⁷⁵ World Bank Group, "PROBLUE: The World Bank's Blue Economy Program," Text/HTML, *World Bank*, last modified 2022, accessed February 20, 2022, <https://www.worldbank.org/en/programs/problue>.

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Pakistan-Afghanistan-Uzbekistan Railroad Project: An Analysis of the Dynamics, Challenges, Implications and Suggestions for Addressing Challenges

Dr. Asima Rabbani¹

Introduction

On February 02, 2021, Pakistan, Afghanistan, and Uzbekistan inked a roadmap for a 573-kilometre railway line to connect Peshawar with Tashkent via Kabul. If realized, this dream come true will provide Central Asian Republics (CARs) with the shortest and cheapest route to the Arabian Sea, making Pakistan a transit hub. The three countries declared the project a “powerful platform” that will stimulate economic growth and create new opportunities.² Tanzila Narbaeva, Chairperson of the Senate (of Uzbekistan) hailed it as an “event of the century”.³

For Pakistan, this railway will open the Central Asian market and turn it into an important transit route, driving economic growth and prosperity. It will also provide an opportunity for parallel construction of power transmission lines saving not only financial resources but also allowing for easier future electrification of the railway lines.⁴ The electric traction, whenever it is carried out, will have greater advantage over diesel locomotion in mountainous areas.⁵

Three meetings of the technical groups of partner countries took place before the takeover of the Taliban in 2021. After a hiatus of few months following the fall of Ghani regime, Uzbekistan hosted a meeting on the project in December 2021. In addition to the three partner countries, Kazakhstan and Russia also participated in a two-day online conference of the multilateral Joint Working Group.⁶ The Taliban government has guaranteed security of the railway line while Russia and Kazakhstan have offered their expertise and funding for the pre-feasibility study of the project.⁷

¹ Foreign Service of Pakistan, 30th SMC.

² Sana Jamal. “Pakistan, Afghanistan, Uzbekistan sign strategic plan for railway project”. *Gulf News*. February 04, 2021.

³ Sputnik “Narbaeva called the project of the Trans-Afghan railway “an event of the century”. <https://uz.sputniknews.ru/20210206/Narbaeva-nazvala-proekt-Transafganskoy-zheleznoy-dorogi-sobytiem-veka-15950992.html> (Accessed 10 February 2022).

⁴ The Central Asia-South Asia (CASA) - 1000 power project to export surplus hydroelectricity from Kyrgyzstan and Tajikistan to Pakistan via Afghanistan is already in the pipeline.

⁵ Respondent 3, Railway officer involved in restoration and upgradation of Peshawar-Landikotal railway line. Interview by the author, Peshawar, 7 January 2022.

⁶ Husnain, K. “Afghanistan offers security to railway project” *Dawn*. (December 10, 2021). <https://www.dawn.com/news/1662922>.

⁷ Ibid.

Pakistan-Afghanistan-Uzbekistan railway project reflects the desire of both Pakistan and Uzbekistan to connect Central Asia with South Asia. Despite huge question marks over the economic viability of the project, owing to factors which include existence of railway lines of varying gauges, extremely difficult terrain, and security concerns, Uzbekistan and Pakistan appear committed to the project. Moreover, the Taliban have also recently given their approval to the project. It is, therefore, important to understand the dynamics of the project, and the challenges it faces. Furthermore, it is essential to examine the implications the project has on regional connectivity and the economic development of Pakistan. It must be considered whether the existing trans-Pakistan railway infrastructure has the capacity to handle a projected freight of 20 million tons annually? To what extent do the infrastructure, processes, trade regimes, and custom procedures are being upgraded and harmonized in Pakistan to cater for the timely and efficient processing of such a huge volume of cargo?

Significance of the Issue

Being at the crossroads of Central Asia, South Asia, and Southwest Asia, Pakistan can become an economic hub by developing transportation and economic corridors connecting all the three regions. Pakistan, however, faces challenges in developing trade with its neighbours Iran and India.⁸ While the country is connected with its north-eastern neighbour China through the Karakorum highway, one of the highest paved roads in the world, and the Khunjerab Pass, the highest land border in the world, this route has accessibility issues during the winter months.⁹ To Pakistan's northwest is Afghanistan, where since the Soviet invasion of 1979, security issues have prevented Pakistan from establishing trade linkages with Central Asia.

Since their independence CARs have been keen to gain access to the Arabian Sea and South Asia through Pakistan. While these countries can use the Iran's Chabahar and Chinese ports, Pakistan provides them with the shortest and fastest access. Furthermore, South Asia is an energy hungry region and Central Asia an energy surplus region. Better connectivity will be a win-win situation for both the regions.¹⁰ All the same, instability in Afghanistan has not allowed this transport and transit route between CARs and Pakistan through Afghanistan to develop.

The Pakistan-Afghanistan-Uzbekistan railway project is yet another effort to connect the two regions, which can also help CARs diversify their trade routes and reduce their dependence on Russia. This project also has the potential to be integrated under the regional initiative of Central Asia Regional Economic Cooperation Program (CAREC) and Chinese Belt and Road Initiative (BRI). The railway line, if successfully built and its economic corridors established, could drive economic activity, tourism, trade, and prosperity for Pakistan and CARs.

⁸ Iran is under US sanctions and with India Pakistan has adversarial relations.

⁹ The third phase of the China Pakistan economic corridor (CPEC), however, envisages a construction of a railway link.

¹⁰ Muhammad Rafiq. "Uzbekistan-Afghanistan-Pakistan-Railway Project". *Daily Times*. 12 July 2021.

Scope

This study locates the Pakistan-Afghanistan-Uzbekistan railway project within the geo-strategic dynamics of the region and investigates the challenges it faces. It further investigates the impact that the project, if completed, can have on the regional connectivity and economic development of Pakistan. It explores whether the existing core railway and related infrastructures in Pakistan along with legal regimes and processes governing cross-border trade are up to the standards required of a country for acting as a major transit route. The scope of this study is limited to the geo-strategic interests of China and the impact this project will have on Pakistan's economic development. The benefits that will accrue from the project to Afghanistan and Uzbekistan is beyond the scope of this study.

Literature Review

Since Pakistan-Afghanistan-Uzbekistan railway project has only been conceived in December 2020, there is a dearth of literature on the project. There is a lack of research material covering various aspects of the project. Of the little literature that is available, most is of short journalistic format appearing in newspapers and periodicals. For example, Hugh Ollard in his paper discusses the challenges faced by the Pakistan-Afghanistan-Uzbekistan railway project. Ollard highlights the issue of variable gauges, the difficult terrain, and the security situation in Afghanistan.¹¹

Similarly, Zaki Shaikh in his article highlights the positive impact of the project on the economic development of the three countries and the region. According to him, the project will reduce shipping time and costs for the CARs, while having a multiplier effect on the region's economic development, in particular, along the route of the railway line. In Shaikh's view, the economic incentives attached to the project will stabilise the region and will encourage various players in the Afghan quagmire to sue for peace.¹² Nasirddinov Salokhiddin, while recognizing the challenges faced by the project, contends that if successfully implemented, it has the potential to develop into a tool for inter-regional integration.¹³

Muhammad Rafiq, highlights Pakistan's decade old quest for better connectivity with energy surplus Central Asia. According to him, the project will create tens of thousands of jobs in Afghanistan that will help stabilise Afghanistan. He suggests 'long-term

¹¹ Hugh Ollard, "What's Behind the Planned Uzbekistan-Afghanistan-Pakistan Railway." *The Diplomat*. (February 2021).

¹² Zaki Shaikh, "Analysis - Uzbekistan keen to build rail link between Central, South Asia". *Anadolu Agency*. 23 May 2021.

<https://www.aa.com.tr/en/asia-pacific/analysis-uzbekistan-keen-to-build-rail-link-between-central-south-asia/2251693> (accessed 20 January 2022).

¹³ Nasirddinov Salokhiddin, "Uzbekistan's long-awaited path to Indian Ocean trade" *East Asia Forum* (July 2021). <https://www.eastasiaforum.org/2021/07/31/uzbekistans-long-awaited-path-to-indian-ocean-trade/> (accessed 22 Jan. 22).

inflation-indexed' bonds for financing the project which could help reduce dependency on US dollar and Euro denominated instruments.¹⁴

Similarly, Muhammad Ismail in his article discusses the importance of the project and calls it as the first step in connecting Central Asia to Pakistan's seaports of Karachi, Port Qasim, and Gwadar. On the issue of the impact of the Taliban takeover of Afghanistan, the piece seems self-contradictory. At one level it argues that the Taliban takeover will help in timely completion of the project, but at another level it highlights the importance of the Taliban moderating their policies and developing better relationship with the world and their neighbours failing which international sanctions will cripple their economy.¹⁵ The writer, however, does not substantiate any of the claims made with evidence.

The existing literature on the project, either highlights its technical issues or its significance for the economic development of Pakistan and the region, instead of engaging in a systematic and evidence-based enquiry into the project. Some scholars just assume that Afghanistan has become peaceful, and that the project will help promote peace and security in the region. There is a dearth of literature that investigates various aspects of the project, including, for example, whether the existing railway infrastructure in Pakistan and Torkham border is capable of handling huge amounts of freight? What about improvement in border crossing time? Have the three countries harmonized their custom processes, legal regimes, and laws for trade promotion? Are there any risks involved in the process of the country becoming a transit route and how can those be avoided? What measures does Pakistan need to take so be able to gain the full benefits of the project?

Methodology

This article uses qualitative research in which both primary and secondary sources have been consulted. Purposive sampling technique has been adopted with respondents being selected for their knowledge of the project, various aspects of railway connectivity, experience in the field or for serving in key positions in the regulatory bodies. Respondents' awareness of relevant issues and challenges faced by such aspirational and ambitious projects was an important aspect of the interviews. However, owing to a time limitation, the sample size was limited to only seven persons. Of these, two were Pakistani diplomats who had knowledge of the project, two were from Pakistan Railway (PR), one each from the customs department and the Ministry of Commerce (MOC); there was also a trader working in Afghanistan and Central Asia. While separate questionnaires were prepared for every respondent, the interviews were semi structured. Accordingly, respondents were allowed to go beyond the scope of the

¹⁴ Rafiq, "Uzbekistan-Afghanistan-Pakistan-Railway Project".

¹⁵ Muhammad Ismail. "A Railway Future Project: Pakistan, Afghanistan, And Uzbekistan in the Twenty-First Century". *Galaxy International Interdisciplinary Research Journal* 9, no. 10 (October 5, 2021): 50–55. <https://internationaljournals.co.in/index.php/giirj/article/view/294> (Accessed January 22, 2022).

questionnaire and share any information relating to the project that they deemed important.

Organization

This paper is organized into three main sections in addition to the conclusion and recommendations. The first section focuses on the dynamics surrounding the project; this includes the vision of new Uzbek leadership for their country, the longstanding desire of regional connectivity, CAREC and BRI initiatives in the region, the changing geopolitical landscape of Afghanistan and the overall geo-strategic landscape of the region.

Section II of the paper focuses on the benefits and challenges of the project, including its technical issues, economic viability, security situation in Afghanistan, and funding challenges. Section III discusses implications of the project, and in doing so it carries out an in-depth analysis of various issues and challenges surrounding the project. Finally, a way forward is suggested under recommendations.

Dynamics of the Project

It was on September 10, 2020 that a formal discussion on the project started during the visit of Uzbekistan's Deputy Prime Minister to Pakistan. Later in December 2020, Uzbekistan, Afghanistan, and Pakistan signed a joint letter to the World Bank for financing the project.¹⁶ Initially, the government of Ashraf Ghani was not very enthusiastic, but later in February 2021 all the three countries signed a roadmap for the project.

The project, also known as Mazar-i-Sharif-Kabul-Peshawar (MKP) railway line project, will include both high-speed passenger and cargo trains.¹⁷ Razak Dawood, Pakistan's advisor on commerce hailed the development as a new chapter in regional cooperation that would open new vistas of trade and strengthen the regional economy.¹⁸ In this regard Pakistan and Uzbekistan are in the process of negotiating a preferential trade agreement.¹⁹ On the occasion of the Prime Minister of Pakistan's visit to Tashkent in July 2021, both countries signed a Joint Declaration to establish a strategic partnership. Seven agreements were also signed including those relating to tourism, customs cooperation, transit trade, and simplification of visa procedures for businessmen and tourists.

¹⁶ Respondent 1, Pakistan's ambassador to Uzbekistan. Interview by author, WhatsApp call, 17 December 2021; Respondent 4, custom officer involved in the Torkham terminal construction and modernization project. Interview by author, WhatsApp call, 12 January 2022.

¹⁷ Muhammad Rafiq. "Uzbekistan-Afghanistan-Pakistan-Railway Project".

¹⁸ See Jamal. "Pakistan, Afghanistan, Uzbekistan sign strategic plan for railway project."

¹⁹ Ibid.

The estimated cost of the project is US\$ 5 billion and according to Uzbekistan Ministry of Investment and Foreign Trade, the World Bank expressed its willingness to finance and provide technical assistance for the project.²⁰ The project, however, needs to be viewed in the backdrop of the following dynamics operating in the region and the participating countries.

Section I

1.1 New Uzbek Leadership

The Pakistan-Afghanistan-Uzbekistan railway project needs to be understood in the backdrop of President Shavkat Mirziyoyev's new vision for his country. Since his assumption of office in 2016, he has been pursuing a vigorous and robust reform agenda in a political, strategic, social, and civic spaces. He is a huge proponent of constructive foreign policy and has offered an olive branch to neighbouring Kyrgyzstan and Tajikistan, with both of whom Uzbekistan has a history of distrust and adversarial relations.²¹ The stated policy of Uzbekistan under his leadership is "strengthening the independence and sovereignty of the state, joining the ranks of developed democratic states, and the creation of a belt of security, stability, and good neighbourliness around Uzbekistan".²² Uzbekistan under his leadership is following a progressive and forward-looking policy, and has resolved its territorial, border demarcation, and water sharing disputes with its neighbours Tajikistan and Kyrgyzstan.²³ President Mirziyoyev's focus is on economic development and Pakistan-Afghanistan-Uzbekistan is his flagship project.

1.2 Regional Connectivity and Access to Arabian Sea

CARs are landlocked countries, very remote from major global markets, and have a limited access to seaports. Their trade is much less than their potential. This has been proven by Ian Babetsk by employing the "gravity model".²⁴ Albury Wojciech agrees with Babetsk's conclusion.²⁵

However, for the past few years CARs have continued to embark on a "quiet yet remarkable economic transition" in a big way.²⁶ They are investing into regional connectivity and have been diversifying and modernizing their economies. Therefore, they are seeking massive investment into their infrastructure projects. According to

²⁰ Shaikh, "Analysis - Uzbekistan keen to build rail link between Central, South Asia."

²¹ Anthony C. Bowyer, "Political Reform in Mirziyoyev's Uzbekistan: Elections, Political Parties and Civil Society" *Institute for Security and Development Policy*. March (2018).

²² *Ibid.*, 26.

²³ Adam Hug, "Introducing Mirziyoyev's Uzbekistan" *The Foreign Policy Centre*. 14 July 2020.

²⁴ In Imran Khan, and Safdar Ali Shirazi. "Geostrategic Importance of Afghanistan For Pakistan." *Pakistan Geographical Review*, Vol.76, No1, (June. 2021); 148-149.

²⁵ *Ibid.*, 148-149.

²⁶ Ariel Cohen, and James Grant. "Future Calling: Infrastructure Development in Central Asia." *International Tax and Investment Center* (October, 2018).

Asian Development Bank's (ADB) estimates, an average annual investment of US\$ 33 billion will be required from 2016 - 2030 for that purpose.²⁷

CARs exports mostly comprise agriculture produce, hydrocarbons and mineral resources. For agricultural produce, efficient and fast supply chains are important to maintain quality. Hydrocarbons and mineral resources require a transport system capable of handling huge loads efficiently and cost effectively. Railway lines can provide a viable option to manage supply chains for both categories in a cost effective and timely manner.²⁸ The Pakistan-Afghanistan-Uzbekistan railway line provides CARs the shortest route to the Arabian Sea through Karachi and Gwadar seaports.²⁹ It can help CARs to lessen their dependence on Russia for access to Europe.³⁰ According to some this project is a latest attempt by one Central Asian state to shake off Russia's imperial legacy as "railways provide an analogy of Russian influence over the countries in its neighbourhood".³¹ Earlier, Kyrgyzstan and Uzbekistan also tried to resolve this dependency issue through a construction of a railway line from Uzbekistan to the Chinese port of Lanzhou via Kyrgyz city of Osh. It took twenty years for this route to become operational, however, the Kyrgyz connection was by road instead of a railway.³² Despite the immense desire by CARs to move away from Russian influence, Russia is also interested in this project as it will provide it the shortest and most economical access to the Arabian Sea. Therefore, the Russian Railway has recently offered to conduct a technical feasibility and design of the project.³³

Figure 1: Pakistan-Afghanistan- Uzbekistan Railway Project³⁴



²⁷ Ibid.

²⁸ Kalyuzhnova, Yelena, and Hans Holzacker. "Enhancing Connectivity and Trade between CAREC Countries and the World: Benefits, Risks, and Policy Implications." *Unlocking Transport Connectivity in the Trans-Caspian Corridor* (2021): 112.

²⁹ Chris Devonshire-Ellis, "Uzbekistan Looks to China's Belt & Road And Pakistan's CPEC To Connect Through To Gwadar & Karachi Ports" *Silk Road Briefing*, 12 May 2020. <https://www.silkroadbriefing.com/news/2020/05/12/uzbekistan-looks-chinas-belt-road-pakistans-cpec-connect-gwadar-karachi-ports/> (accessed on 20 January 2022).

³⁰ Respondent 1, Pakistan's ambassador to Uzbekistan. Interview by author, WhatsApp call, 17 December 2021.

³¹ Ollard, "What's Behind the Planned Uzbekistan-Afghanistan-Pakistan Railway."

³² Ibid.

³³ Shaikh, "Analysis - Uzbekistan keen to build rail link between Central, South Asia."

³⁴ Silk Road Briefing website.

1.3 CAREC and BRI Projects

The initiatives CAREC and BRI are currently transforming the landscapes of South Asia and Central Asia. CAREC is a partnership of eleven nations and six multilateral development agencies to promote economic growth and reduce poverty in the region. It has an overarching vision of “*Good Neighbors, Good Partners, and Good Prospects*”. The program includes Pakistan, Afghanistan, Uzbekistan, and other Central Asian Republics.³⁵ China is also a part of this initiative. Its objective is to facilitate “practical, results-based regional projects, and policy initiatives critical to sustainable economic growth and shared prosperity in the region”.³⁶ Through investment in infrastructure and trade facilitation processes, CAREC aims to provide better connectivity and trade linkages, and stimulate economic development. After its inception in 2001, there have been estimated investments of US\$ 40 billion in transportation networks, energy trade and security as well as the development of processes and infrastructure for economic corridors.³⁷ While the Pakistan-Afghanistan-Uzbekistan project is not officially linked to any of the initiative, but Pakistan Railway and the Ministry of Commerce are treating it as a CAREC project.³⁸

Pakistan and Uzbekistan are also partner countries under the BRI initiative, in which Central Asia is a “lynchpin”.³⁹ China is believed to be investing around one trillion dollars in the region under the initiative. Pakistan-Afghanistan-Uzbekistan railway project is not a part of the BRI, but some scholars believe that it will later be linked to the initiative especially because, as will be discussed later, the viability of the project will depend on the infrastructure being developed in Pakistan under the CPEC initiative.⁴⁰ Started in 2015, under CPEC, road, railway and air transport facilities are being upgraded to cater for the regional connectivity. Gwadar seaport is a significant node being made ready to serve as a major international port providing connectivity to China, which will link Central Asia through the Gwadar-Termez motorway that traverses through Tajikistan, Turkmenistan, Afghanistan, and Uzbekistan. However, an alternate route is also being envisaged that will use the Karakoram highway bypassing Afghanistan, but this is a longer route that passes through rugged terrain and faces year-round accessibility challenges. Afghanistan has already shown an interest in BRI projects.⁴¹ Therefore, in future, there is a good chance that the Pakistan-Afghanistan-Uzbekistan railway project will become a part of a BRI corridor linking China with Central Asia and South Asia.

³⁵ Other members are Tajikistan, Turkmenistan, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, and Mongolia.

³⁶ See https://www.carecprogram.org/?page_id=31.

³⁷ Ibid.

³⁸ Respondent 1, Pakistan’s ambassador to Uzbekistan; Respondent 3, Railway officer involved in restoration and upgradation of Peshawar-Landikotal railway line. Interview by author, Peshawar, 7 January 2022; Respondent 5, Ministry of Commerce officer working on Pakistan-Uzbekistan- Afghanistan Railway. Interview by author, WhatsApp call, 13 January 2022.

³⁹ Cohen, and Grant. “Future Calling: Infrastructure Development in Central Asia.”

⁴⁰ Ollard, “What’s Behind the Planned Uzbekistan-Afghanistan-Pakistan Railway.”

⁴¹ Ariel Cohen, and James Grant. “Future Calling: Infrastructure Development in Central Asia.”

1.4 Changing Political and Security Landscape of Afghanistan

The Taliban takeover of Afghanistan in August 2021 was rather swift and without much bloodshed. The level of violence has since gone down considerably.⁴² The only militant group that is still carrying out attacks and suicide bombings is the Islamic State of Khorasan (IS-K). However, this relative calm can be the harbinger of looming troubles on several counts. It is not the first time in Afghanistan's history when the forces of an incumbent regime melted against an adversary without putting up a fight. After 9/11, the Taliban had melted away in the face of massive NATO bombing. They, however, later regrouped and fought to come back in power. There is, therefore, every reason to expect a change in sentiments and armed resistance emerging to fight the Taliban regime.

While the militant violence in Afghanistan has abated for now because the Taliban are no longer attacking the state, regional countries are quite worried over the presence of religiously inspired militants in the country. China, in particular, is worried about the presence of the Uyghur separatist group, the East Turkestan Independence Movement (ETIM), which is still maintaining linkages with Al-Qaeda and is fighting for the Independent East Turkestan (as it calls the Xinjiang region). Similarly, the Taliban regime has not cooperated with Pakistan on Tehreek-i-Taliban Pakistan (TTP), and instead of making the TTP – a splinter group dedicated to attacking Pakistan – give up its violence, it has pressurized Pakistan towards negotiating with them. Both ETIM and TTP are using Afghanistan as safe heavens. Since the Taliban still maintain close ties with Al-Qaeda,⁴³ it appears unlikely that they will take action against them, especially because these groups played an important role in the recent victory of the Taliban.

The emerging human rights and humanitarian crises are other serious issues that challenge Afghanistan. According to Human Rights Watch, the freezing of Afghanistan's currency reserves and drying up of foreign assistance has brought the country on the verge of economic collapse. Millions of Afghans face famine, hunger, and healthcare crises.⁴⁴ Deepening of this crisis could be devastating for the peace and stability of Afghanistan.

Atal Ahmadzai and Faten Ghosn, argue that despite trying to portray a moderate image to the international community, the Taliban have not changed much. Girls' schools are still closed, and women are not allowed to go to work. New curbs have been placed on women's movement and their dress code. Independent journalists are hounded and beaten regularly. According to them the Taliban are ruling through fear and imposition of draconian restrictions, allegedly killing thousands of former Afghan soldiers as well

⁴² See Jim Huylebroek, "This Is Life in Rural Afghanistan After the Taliban Takeover" *The New York Times*. 15 September 2021.

⁴³ Jianli Yang, "China's Political Calculations and Potential Options in Afghanistan". *The Diplomat*. 19 August 2021.

⁴⁴ Human Rights Watch. "Afghanistan: Taliban Takeover Worsens Rights Crisis" 13 January 2022; Syed Irfan Ashraf "Afghanistan's humanitarian disaster". *Dawn*. 26 November 2021.

as silencing journalists and social media activists.⁴⁵ Their harsh restrictions on women are also steering them towards abject poverty.⁴⁶ If continued, such policies are unlikely to earn them international recognition, which could in turn lead to further deepening of the humanitarian crises and instability in Afghanistan. This could result in huge outflow of Afghan refugees to neighbouring countries. Therefore, the security situation in Afghanistan is very dire and it has the potential to destabilize the region.

1.5 Geo-Strategic Landscape of the Region and the Significance of the Project

The regions of Central Asia and South Asia have assumed increased strategic significance in the context of the US-China competition. There has long been a feeling in the Western capitals that the United States' preoccupation with Afghanistan has allowed China to grow economically and it is on its way to emerge as a regional hegemon. President Trump called China a "revisionist power" that wanted to shape the world "antithetical" to the US interests.⁴⁷ The new administration of President Joe Biden has not brought much change to the United States' policy on China. Recent alliances of the quadrilateral security dialogue (QUAD) and trilateral security partnership of Australia, UK, and US (AUKUS) are directed against China.⁴⁸ Therefore, from the Chinese perspective, diversification of trade routes has become even more important. The geo-strategic location of Gwadar port allows China to overcome a possible future Western blockade. Under CPEC there are plans to construct a railway line linking the port to China via Khunjerab pass, however, it is only in the third phase. Moreover, Pakistan-Afghanistan-Uzbekistan railway line will provide a much shorter, quicker, and all-weather route. Additionally, Beijing's strategic interests in Central Asia relate to stability in the region, especially because it borders its western region of Xinjiang which has a history of unrest.⁴⁹

Section II

2.1 Benefits of the Project

The construction of Mazar-e-Sharif-Kabul-Peshawar railway line will provide regional connectivity, and increased flow of trade and investment. It will connect Central Asia with South Asia and will "dramatically increase the transit potential and cargo flow".⁵⁰ It also has the potential to bolster the economic development of Pakistan. The line is

⁴⁵ See Atal Ahmadzai and Faten Ghosn, "Taliban 2.0 aren't so different from the first regime, after all". *The Conversation*. 18 January 2022.

⁴⁶ Ashraf. "The defiance of Afghan women".

⁴⁷ Tarun Chhabra and Ryan Hass. "Global China: Domestic politics and foreign policy" *Brookings* (September 2019); Zaheena Rasheed, "What is the Quad and can it counter China's rise?". *Al Jazeera* 25 November 2020.

⁴⁸ Patrick Wintour, "What is the Aukus alliance and what are its implications?" *The Guardian* 16 September 2021.

⁴⁹ Andrew Scobell, Ely Ratner, and Michael Beckley "China's Strategy Toward South and Central Asia: An Empty Fortress". *RAND*. (2014).

⁵⁰ Shaikh, "Analysis - Uzbekistan keen to build rail link between Central, South Asia".

projected to reduce transit times and cost of transportation. The transit times are estimated to be reduced by about thirty percent, while the delivery time of goods from the Russian border (Ozinki) to Karachi will be 16-18 days, and that from Termez to Karachi just 8-10 days.⁵¹ In addition, power lines from Uzbekistan and Tajikistan could be installed along the track to supply electricity to Afghanistan and Pakistan.⁵²

The railway line has the potential to connect with the regional railway network. Together with China-Kyrgyzstan-Uzbekistan railway line, it will provide an opportunity to link four large railway networks in China, the CIS, Europe, and South Asia, while providing one of the shortest routes from China to Europe and the Middle East, reducing the distance by 900 kilometres and cutting travel time by 7-8 days.⁵³ According to Eldor Aripov, the Head of the Institute of Strategic Studies, Uzbekistan, the proposed project will provide the Central Asian nations the shortest path to South Asia, which can serve as a “powerful platform” for inclusive economic development of South Asia and Central Asia.⁵⁴

There are several studies that confirm the positive impact of railway lines on economic development. Prince Fosu’s study in examining the impact of railway lines on the economic growth of the US from 1980 to 2016, showed a significant positive impact of railway lines on economic growth, both in the short term and long term.⁵⁵ In another study on the impact of transportation networks on China’s economic growth in regional areas, it was established that proximity to a transport network has a moderate to large positive impact on incomes of the population.⁵⁶ To investigate the relationship between transport infrastructure and economic development, yet another study employed an autoregression distribution lag (ARDL) and vector error correction model (VECM) for the period of 1997-2017.⁵⁷ Its results have shown a long-term positive correlation between the two. However, all these studies relate to an impact of a single country’s infrastructure projects. Esfahani and Ramirez conducted a cross-country study to examine the correlation among institutions, infrastructure, and economic growth. Their results demonstrated a significant positive impact on the GDP growth exceeding the cost-of-service provision.⁵⁸

Recently, a book titled *Unlocking Transport Connectivity in The Trans-Caspian Corridor*, agrees to the role of connectivity projects in promotion of economic growth

⁵¹ Respondent 3, Railway officer involved in restoration and upgradation of Peshawar-Landikotal railway line.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ In Shaikh, “Analysis - Uzbekistan keen to build rail link between Central, South Asia”.

⁵⁵ Fosu, Prince. “Does Railway Lines Investments Matter for Economic Growth?” *Economics* 9, no. 1 (2021).

⁵⁶ Abhijit Banerjee, Esther Duflo, & Nancy Qian “On the road: Access to transportation infrastructure and economic growth in China”. *National Bureau of Economic Research* (2012).

⁵⁷ Khalid M. Alam, Xuemei Xi, Baig, S., Ghanem, O., & Hanif, S. “Causality between transportation infrastructure and economic development in Pakistan: An ARDL analysis.” *Research in Transportation Economics*, (2020).

⁵⁸ Hadi Salehi Esfahani and Maria Teresa Ramirez. “Institutions, infrastructure, and economic growth” *Journal of Development Economic*. 70, no. 2 (2003): 443-477.

and job creation.⁵⁹ It, however, cautions that the exact benefits accruing from connectivity projects in the CAREC region would vary by country, the nature of infrastructure, and the kind of transport corridor.⁶⁰

Pakistani authorities are expecting that the project will increase trade and investment by opening the Central Asian market. As quality standards for goods in CARs are not as stringent as the US and Europe, Pakistani traders are expecting to export the surplus from products bound for Western markets to Central Asia.⁶¹ To gauge the potential in just one area, Pakistan exported a *kino* oranges consignment to Uzbekistan by trucks his year.⁶²

2.2 Challenges Faced by the Project

The project faces several technical, economic viability, and security challenges. In addition, the takeover by the Taliban has raised question marks over the project's possible funding through the World Bank and the ADB. Some of the issues faced by the project are:

2.2.1 Technical Issues

The agreed route for Pakistan-Afghanistan-Uzbekistan connectivity project passes through the Hindu-Kush range and climbs a steep ascent of 3,500 meters. If completed this would rank it among the highest railway lines in the world. The construction at such a height will present an engineering challenge and will involve the associated construction of several tunnels. The delivery of essential supplies, availability of trained labour force, and willingness of professional companies to work in Afghanistan will also be major hurdles.⁶³

Another technical issue will be the management of variable gauges in all the three countries. Uzbekistan railway uses 1520 mm Russian gauge, while Pakistan uses 1676 mm broad gauge. The railway line, built by Afghanistan in 2010, uses a 1435mm gauge. There are technical solutions to the problem of variable gauges such as building multi-gauge bogies, changing wheels, or an extensive operation of reloading cargo at border points. However, such solutions increase the cost of operations and could lead to delays at border crossing points. Nevertheless, such technical impediments can be overcome if the project is considered economically viable.

⁵⁹ Azhgaliyeva, Dina, and Yelena Kalyuzhnova. "Unlocking Transport Connectivity in the Trans-Caspian Corridor." (2021).

⁶⁰ Ibid.

⁶¹ Respondent 7, Trader who has been trading with Afghanistan. Interview by author, WhatsApp call, 21 January 2022.

⁶² Respondent 1, Pakistan's ambassador to Uzbekistan.

⁶³ Ollard, "What's Behind the Planned Uzbekistan-Afghanistan-Pakistan Railway."

2.2.2 Economic Viability

The economic viability of the project will depend on sufficient freight load for trains. The trade between Afghanistan and Pakistan in 2020-2021 was only US\$ 750 million while that with Uzbekistan was only 57.58 million.⁶⁴ Pakistan does export certain bulky items such as steel pipes to Afghanistan, for which trains would provide a much better transportation option.⁶⁵ However, the volume of trade and product range is very limited. For example, Pakistan primarily imports just 7-8 products from Afghanistan.⁶⁶ Additionally, the volume of rail freight within Afghanistan was only four (04) million tons.⁶⁷ However, the annual freight volume is estimated to go up to 20 million tons once the Pakistan-Afghanistan-Uzbekistan railway line is constructed and becomes fully operational.⁶⁸ However, these are only estimates and it is still pre-mature to say anything with certainty.

2.2.3 Security Situation

The instability in Afghanistan over the years has made the dream of connectivity between South Asia and Central Asia a mirage. Recently, after the Taliban takeover, the security situation in the country has improved to the extent that terrorist attacks are no longer taking place. However, as discussed above, Afghanistan is far from stable. It remains to be seen if other forces will accept the Taliban rule or will group together to strike against them. The Taliban regime is still not recognized by the international community and the Taliban's failure to moderate their policies does not augur well for the future.

More importantly, informal entities like the Taliban are good at waging violent anti-state campaigns and destroying existing governance structures, but have not proven themselves of being able to rebuild and govern. For example, Al-Qaeda in Maghrib and ISIS when given a territory to rule, instead of focusing on governance, continued waging violence against their opponents. Instead of moderating their policies these entities got more ruthless and imposed increasingly harsh curbs over the population under their rule. The problem with all such entities is that they do not have mechanisms to resolve contestations within the society and run a modern state. Their exclusivist ideology does not permit compromise and their world view calls for eliminating all opposition to their worldview.⁶⁹ Governance, however, requires taking all the stakeholders on board. Furthermore, the Taliban are not a monolithic force in a Clausewitzian sense. Rather, they are a loose coalition of disparate groups, with some

⁶⁴ Respondent 5, Ministry of Commerce officer working on Pakistan-Uzbekistan- Afghanistan Railway.

⁶⁵ Respondent 7, Trader who has been trading with Afghanistan.

⁶⁶ Respondent 4, Custom officer involved in the Torkham terminal construction and modernization project. Interview by author, WhatsApp call, 12 January 2022.

⁶⁷ Zak Shaikh, "Analysis - Uzbekistan keen to build rail link between Central, South Asia".

⁶⁸ Ibid.

⁶⁹ Asima Rabbani, "Nihilist Non-State Actors, the Threat to Collective Security, and the Inadequacy of the United Nations' Conflict Prevention, Management, and Resolution Mechanisms". *PhD thesis* (2021).

more hard-line than others. Their top leadership is stuck between the devil and the deep sea. If they adopt moderate policies, they may lose support of the hardliner groups. On the other hand, without moderating their policies they cannot proceed to international recognition as a contemporary state. It is important to note that their core strength is believed to be only 60,000 and their fighters are neither trained soldiers nor do they have any experience in governance.⁷⁰ Therefore, it is unlikely that they will be able to establish their writ across the whole of Afghanistan. Therefore, the security situation on Afghanistan is likely to remain tenuous unless there is an across-the-board reconciliation for stabilizing the country.

2.2.4 The Challenge of Securing Funding after the Taliban Takeover

The project could face funding challenges after the Taliban takeover since the international community has not recognized the regime. There is a possibility of a Chinese loan, however, there are concerns over unsustainability of these loans.⁷¹ For the feasibility study, Russia has shown its willingness, however, it remains to be seen if the Taliban are able to stabilize the country to instill confidence among the donors.

Section III

Analysis

There is a great deal of optimism among policymakers in Uzbekistan and Pakistan over the Pakistan-Afghanistan-Uzbek railway project as it will finally connect the resource rich regions of Central Asia with the resource hungry regions of South Asia.⁷² Uzbekistan is also hopeful that the completion of this project will not only provide it access to the Arabian Sea but will help it become a major transit hub serving the Central Asian region. While most of the construction work will be carried out in Afghanistan, both Pakistan and Uzbekistan are hoping to provide human resources, goods and services, and materials for the project. As already discussed above, there is sufficient evidence to suggest that the construction of the railway lines promotes economic growth, therefore, both countries are expecting to reap its benefits through the economic spillover effects and by multiplier effects of serving as transit routes. Notwithstanding this optimism, there is always a risk that a cheaper, easier, and faster connectivity turns transit countries into import markets, i.e. they are flooded with cheaper imports to the detriment of local businesses.⁷³ According to Kalyuzhnova and Holzacker, to reap the true benefits of transport connectivity, it is paramount to broaden and expand the export base and undertake a “robust set of measures in areas

⁷⁰ Jonathan Beale. “Afghanistan: How the Taliban gained ground so quickly”. *BBC*. 13 August 2021.

⁷¹ Cohen, and Grant. “Future Calling: Infrastructure Development in Central Asia.”

⁷² In the case of Afghanistan, the Taliban leadership appears to be interested in all such projects. However, in the absence of international recognition of their government they cannot meaningfully engage with this project.

⁷³ Kalyuzhnova, Yelena, and Hans Holzacker. “Enhancing connectivity and trade between Central Asia regional economic cooperation countries and the world”, 11.

such as trade policy, coordination of sectoral policies, diversification, and business reforms,” in addition to the redesigning of investment schemes and the expansion of capital markets.⁷⁴ Therefore, unless Pakistan takes necessary steps in this regard, it is unlikely to reap the project’s expected benefits.

All the same, the technical issues discussed above while being important are not deal breakers. Technologies are available to overcome the challenges of height, terrains and gauge issues.⁷⁵ However, such solutions are tied to the economic viability of the project. It is important to note that a pre-feasibility study of the project still needs to be carried out, only after which can the exact costs and associated technical challenges be known.

The economic viability of the project is also dependent upon the annual volume of freight that is to be transported across the network. The existing volume of trade is quite low, and it remains to be seen if the projected volume of 20 million tons of annual freight can be reached, as a failure to reach the projected volume could make the project a liability. The Khorgos dry port that connects Kazakhstan to China is one such example. Constructed under the BRI, this dry port is located in a cross-border free-trade area where cranes are used to transfer freight from trains to trucks. Despite substantial subsidies by China, the project is proving to be a white elephant as Chinese companies are shipping empty containers to extract government subsidies.⁷⁶

The desire to connect the Central Asian region with South Asia has existed since the independence of CARs. However, for as long as the idea has existed, it is the security situation in Afghanistan that has prevented the dream of connectivity from becoming a reality. The security situation failed to improve even after the US-supported dispensation was in place in Afghanistan, as they hardly exercised their writ beyond urban centres. Several mining and infrastructure projects in Afghanistan had to be abandoned because of security concerns, for example, Chinese Amu Darya Basin oil project and Aynak Copper Mine Project in Afghanistan.⁷⁷ The Taliban, now in power, are quite keen on the project, however, as noted above, the security situation in Afghanistan remains precarious.

The state of Pakistan-Afghanistan relations is another issue that could bedevil this project. Afghanistan has not recognized the Durand line, a colonial era border negotiated by the British rulers of the region, as the Pakistan-Afghanistan border; accordingly, it has opposed the ongoing fencing of the Pakistani border.⁷⁸ Tensions between these two countries bubble up from time to time. In the recent past, such tensions have often led to border closures, which has led to Afghanistan diversifying its trade routes and trade

⁷⁴ Ibid, p. 11.

⁷⁵ Respondent 1, Pakistan’s ambassador to Uzbekistan. Respondent 3, Railway officer involved in restoration and upgradation of Peshawar-Landikotal railway line.

⁷⁶ Ollard, “What’s Behind the Planned Uzbekistan-Afghanistan-Pakistan Railway.”

⁷⁷ Yun Sun, “Reluctant Embrace: China’s New Relationship with the Taliban”. *National Security Review* (2021).

⁷⁸ Pakistan is now having issues with the Taliban on fencing.

partners, leading to substantial drop in Pakistan's export to Afghanistan.⁷⁹ According to Arwin Rahi, a former advisor to the Governor of Parwan, Afghanistan, the frequent border closures by Pakistan to pressure Afghanistan have proved counterproductive. It has created a perception among Afghans that Pakistan is using the border crossing as a bargaining chip. Thus, they have started diversifying their trade routes through Iran, China, and Central Asian Republics. As a result, trade volume between the two countries has declined from a peak of US\$ 3 billion to just US\$ 500 million in 2017.⁸⁰

Any such future tensions can be highly damaging for the economic viability of the project. For regional corridors, the certainty of border crossings and meeting delivery schedules is extremely important. Any disruptions or delays could shake the confidence of the business community which can force them to search for alternatives. The possibility of freight getting stuck at the borders is far worse than paying greater shipping charges. Since the takeover of the Taliban, there is a degree of ease among Pakistani authorities in dealing with them. Both customs and railway officials interviewed for this research alluded to this point.⁸¹ However, the Taliban regime has serious capacity issues and huge question marks exist over their ability to govern. Despite optimism in Pakistan over the Taliban and their willingness to build capacity, it is still premature to say with confidence if the proposed capacity building project will be successful. It is important to note, that frictions have already started appearing between Pakistan and the Taliban over fencing of the border and TTP and there is no guarantee that the recent bonhomie in the relationship will continue.

More importantly, there are international sanctions on the Taliban, and Afghan banks are unable to process international transactions. The absence of international banking in Afghanistan has extremely negative effects on Pakistan's regular exports to Afghanistan. Exporters cannot open letters of credit (LCs) for their consignments or do other banking transactions.⁸² Notwithstanding the Taliban enthusiasm for the project, without their international recognition, the World Bank and ADB are unlikely to fund the trans-Afghan railway line.

In my conversations with respondents, there seemed a belief among Pakistani officials that the non-recognition of the Taliban regime is temporary, and the world will eventually recognise them. However, as discussed before, the Taliban actions so far have given little confidence to the international community to grant them recognition. If the West can keep Iran under sanctions even after a passage of more than four decades, why would they adopt a softer approach towards Afghanistan? And just like the Iran-Pakistan gas pipeline project, the dream of the Pakistan-Afghanistan-Uzbekistan railway line could remain unrealized for a long period of time.

⁷⁹ Respondent 7, Trader who has been trading with Afghanistan.

⁸⁰ Arwin Rahi, "A Counterproductive Afghan-Pakistan Border Closure", *The Diplomat*, 20 March 2017.

⁸¹ Respondent 3, Railway officer involved in restoration and upgradation of Peshawar-Landikotal railway line;

Respondent 4, Custom officer involved in the Torkham terminal construction and modernization project.

⁸² Respondent 7, Trader who has been trading with Afghanistan.

More importantly, actors such as the Taliban, are good at destroying a state and existing structures of authority, but they lack capacity to rebuild and govern. Rabbani argues that such actors are good at waging violence but lack strategies and mechanisms to run a modern state that requires taking various stakeholders on board and complex decision making. They even lack mechanisms to resolve their internal contestations. Al-Qaeda inspired actors in Mali and Syria, when given a chance, failed to run states. Instead, they became more repressive and ruthless in the implementation of Sharia and pursued expansionist policies.⁸³ The future, therefore, appears to hold further instability for Afghanistan.

There is another dimension of the project that is missed in the literature on the railway project. The PR infrastructure is in dilapidated condition. The floods of 2007 and 2010 not only washed the Peshawar-Landikotal track, but also severely damaged railway lines across Pakistan. For all practical purposes, railway tracks in Pakistan and the rolling stock have outlived their utility.⁸⁴ The railway that in 1980s catered for transportation of more than 80% of freight in Pakistan is now shipping only 4% of the total cargo,⁸⁵ which includes urea, coal, and other heavy items.⁸⁶

Two things have happened since the 1980s, which have relegated railways to the margins in transportation of freight: (i) the business shift to National Logistic Cell (NLC); (ii) Except for one individual, appointment of non-professionals as Secretary/Chairman Railways.⁸⁷ From the 1990s, NLC's monopolisation of the national freight business gradually made PR uncompetitive, and, as a consequence the railways' funding shifted to road building activities.⁸⁸ The appointment of non-professional heads of the Railway, also added to the woes of the organisation. Over the years no investment has been made towards modernizing the railway infrastructure or hiring a professional workforce. Basically, the existing infrastructure is based on the legacy system left by the British. Rolling stock is in a very poor condition; rail tracks and the signaling system are getting old and obsolete. While the average speed of our freight trains is 50 to 60 km/h, India and Iran have upgraded their railway infrastructures and organized these on modern lines, including electrification of their busier routes, PR has made little progress in modernizing and electrifying its railways lines, or commissioning high-speed rolling stock. With this situation, it is unlikely to survive for another decade.⁸⁹ The Pakistan-Afghanistan-Uzbekistan project will be of little value unless PR is transformed into a professional organization on modern lines with state-of-the-art infrastructure and rolling stock.

⁸³ Asima Rabbani. "Nihilist Non-State Actors, the Threat to Collective Security, and the Inadequacy of the United Nations' Conflict Prevention, Management, and Resolution Mechanisms".

⁸⁴ According to respondent from railway, a visiting Russian delegation expressed their surprise over Pakistan Railway's ability to operate an infrastructure that has outlived its utility.

⁸⁵ Ministry of Railways, *Year Book* (Railways Headquarters Office, 2018-19).

⁸⁶ Respondent 6, Railway officer working on ML1 project. Interview by author, WhatsApp call, 15 January 2022.

⁸⁷ During Zia's era a General was appointed, who at the end of the military rule was replaced by a DMG officer.

⁸⁸ Even NATO supplies were mostly transported via roads.

⁸⁹ Respondent 6, Railway officer working on ML1 project.

Under the CPEC initiative, initiated in 2015, there are plans to upgrade and modernize PR, which also includes construction of new tracks. Under phase-I of the CPEC, a Main Line 1 (ML1) is to be upgraded from Peshawar to Karachi with a side track between Taxila and Havelian. The next phase envisages upgradation and extension of Main Line 2 (ML2) from Gawadar to Jacobabad via Basima (1254Km). In the third and final phase, a new rail track on Havelian-Khunjerab-Kashghar route will be laid. There are also plans to double the current speed of passenger and freight trains, increase train capacity many times over to cater for the future demand of regional connectivity, and increasing the load capacity of freight trains.⁹⁰ The ML1 phase was projected to be completed over a period of 9 years at a cost of USD 6.8 billion.⁹¹ However, it has been placed on the back burner since 2017.⁹² The success of the Pakistan-Afghanistan-Uzbekistan railway project will depend on the early completion of ML1 project.

In the meanwhile, Kazakhstan has also offered a loan of USD 300 million and technical expertise to replace the most dangerous sections on the 860-kilometre railway line from Kotri to Khanpur.⁹³ Under another project, PR is contemplating an option to restore Peshawar-Landikotal section as per the existing design for the promotion of tourism at an estimated cost of Rs 4751 million. However, according to experts, a better option will be to make Peshawar-Landikotal section freight traffic ready. This will have greater commercial viability and could be integrated into regional railway corridors.⁹⁴ While the Pakistan-Afghanistan-Uzbekistan railway project is likely to face delays owing to the security situation in Afghanistan, it is important for Pakistan to expeditiously implement these smaller projects and ML1 railway project and upgrade and modernize the PR to make it regional connectivity ready.

Another aspect of transport corridors is the inefficiency in cross-border trade. According to WTO's World Trade Report 2018, transport costs are 38% of total trading costs and the major portion relates "to expenses on logistics, border crossing, information and transactions, trade."⁹⁵ Therefore, there is a greater need to reduce inefficiencies owing to complex tariff structures, border crossing delays and costs, and trade policies. Border crossing time, in particular is critical for agriculture and agriproducts.⁹⁶

CAREC nations have a history of high trade costs. A technical report prepared by CAREC Corridor Performance Measurement and Monitoring (CPMM) team at the

⁹⁰ Ministry of Railways, PCI of Up gradation of Pakistan Railway's existing Main Line-1 (ML-1) and establishment of Dry Port near Havelian (Islamabad: Official Printer, 2020).

⁹¹ Ministry of Railways, PCI of Up gradation of Pakistan Railway's existing Main Line-1 (ML-1) and establishment of Dry Port near Havelian (Islamabad: Official Printer, 2020), 44-46.

⁹² Respondent 3, Railway officer involved in restoration and upgradation of Peshawar-Landikotal railway line: Respondent 6, Railway officer working on ML1 project.

⁹³ Hasnain, K. "PR mulling Kazakhstan's US\$300m offer for track rehabilitation". *Dawn* (December 14, 2021). <https://www.dawn.com/news/1663619/pr-mulling-kazakhstans-300m-offer-for-track-rehabilitation>.

⁹⁴ Respondent 6, Railway officer working on ML1 project.

⁹⁵ Kalyuzhnova, Yelena, and Hans Holzhaecker. "Enhancing connectivity and trade between Central Asia regional economic cooperation countries and the world".

⁹⁶ *Ibid*, p.1.

ADB contends that despite improvements in the speed of rail among CAREC countries, there has been insignificant improvements in average border crossing time.⁹⁷ While the average border-crossing times improved from 23.2 hours to 20.6 hours, the average cost increased slightly from US\$196 to US\$198.⁹⁸ According to the report, Pakistan, Afghanistan, and Uzbekistan were among the worst performers. Pakistan-Afghanistan border crossings of Torkham and Chaman remained the most time-consuming nodes on the CAREC corridor.⁹⁹ The situation, however, improved when 24/7 operations started in 2019. Similarly, despite Uzbekistan's progress in trade facilitation reforms, the country's performance in the field of railway connectivity remained mixed.¹⁰⁰ The report recommended that CAREC states should modernize their transport infrastructure and Border Crossing Points (BCPs). They should take practical steps to streamline border crossings, use risk-based programs and management for quicker and cost-effective completion of border formalities. It also recommended developing "bilateral and multilateral agreements and mutual acceptance of standards for transit and trade facilitation, and their sustained implementation."¹⁰¹

At the Torkham border crossing point (BCP), upgradation is currently underway under an ADB sponsored project. The project includes the development of immigration and customs related infrastructure, including putting systems for data connectivity and information and communication technology in place.¹⁰² The project also includes simplifying cargo processing and customs, to address the inadequacies at Torkham BCP. Under the International Transit Trade Management System (ITTMS) terminal at Torkham, a feasibility study is being carried out for rail connectivity with a terminal that is fit for a train load of 2000 tons compared to existing 160 tons of train load.¹⁰³ While Pakistan is upgrading Torkham to a state-of-the-art BCP to make it ready for efficient regional corridors, it cannot be of much use unless similar improvements take place on the other side of the border.¹⁰⁴

The improvement in border crossing time is also dependent on standardization of tolls and railway tariffs, containerization, and streamlined custom procedures. An important component of CPEC and CAREC are regional integration, customs harmonisation and improving BCP infrastructure. According to a respondent from customs, Pakistan's trade with Afghanistan is very limited for which it is not very difficult to streamline.¹⁰⁵ However, if Pakistan and Afghanistan wish to become part of transit corridors, they will need to upgrade their capacities and build processes and infrastructure that is able

⁹⁷ The report used Trade facilitation indicators of (i) Average border crossing time; (ii) Average-border crossing cost (iii) total transport cost (iv) speed to travel on CAREC corridor.

⁹⁸ ADB, "CAREC Corridor Performance Measurement and Monitoring Annual Report 2019", (2020).

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid, p.68.

¹⁰² See CAREC-RIBS, PAK: Central Asia Regional Economic Cooperation Regional Improving Border Services Project: Project Torkham Border Crossing Point. 2018.

¹⁰³ Respondent 3, Railway officer involved in restoration and upgradation of Peshawar-Landikotal railway line.

¹⁰⁴ See CAREC-RIBS, PAK: Central Asia Regional Economic Cooperation Regional Improving Border Services Project: Project Torkham Border Crossing Point. 2018.

¹⁰⁵ Ibid.

to handle 20 million tons of freight annually. There is also a need for Pakistan and Afghanistan to streamline the TIR regime for transit cargo. Over the past 24 months, only 80 to 90 trucks have crossed the border under the system.¹⁰⁶ Real time data sharing at the Afghanistan and Pakistan BCP is still not in place. According to Kalyuzhnova and Holzacker, for efficient regional corridors sectoral policies and priorities of partner countries need to be aligned “through collaborative policy formulation and implementation, alignment of national and regional planning, and regulatory convergence”.¹⁰⁷ All the three countries, therefore, have a long distance to cover to reach to that level of convergences and harmonization of policies and processes. In fact, they are the laggards even in the field of digital preparedness. For now, Pakistan is even struggling with ensuring 24/7 power supply at the Torkham border.

Conclusion

A great deal of euphoria surrounds the official circles of Pakistan, Uzbekistan, and Afghanistan over the Pakistan-Afghanistan-Uzbekistan railway project. Notwithstanding the technical challenges and funding questions, the issue of security in Afghanistan which has thus far prevented the realization of the dream of connecting Central Asia with South Asia remains. Therefore, a respondent who served in Afghanistan called the project a “pipe dream”.¹⁰⁸ However, commitment of the partner countries, in particular Uzbekistan, may make it a reality someday.

It is, however, important to note that given the current state of Pakistan Railway (PR), and trade related infrastructure in Pakistan this project will be of little value to Pakistan. While Pakistan is upgrading its BCP at Torkham, the trans-railway infrastructure in Pakistan is in shambles. The upgradation and modernization of the railway under ML1 is still on hold. Unless PR is upgraded, and organized on modern and professional lines, it is unlikely to meet demands of transporting huge loads of transit trade to its seaports of Karachi and Gwadar. Additionally, Pakistan still has a long way to go in simplifying its customs and border procedures, harmonizing its trade processes, and engaging in real time data sharing. In fact, both Uzbekistan and Afghanistan are also laggards in the region. All three countries score low on such basic issues like digital preparedness, product diversification and innovation. Unless all the three countries get their fundamentals right and prepare their infrastructure and processes for launch of the regional corridor, the Pakistan-Afghanistan railway project would be of little benefit.

¹⁰⁶ TIR system is much more efficient and reduces the border crossing timings and cause considerably. The regime is a global practise and more and more cargo needs to go under that arrangement. p.2.

¹⁰⁷ Kalyuzhnova, Yelena, and Hans Holzacker. "Enhancing Connectivity and Trade between CAREC Countries and the World: Benefits, Risks, and Policy Implications."p. 121.

¹⁰⁸ Respondent 2, Pakistan's former ambassador to Afghanistan. Interview by author, WhatsApp call, 17 December 2021.

Recommendations

Pakistan-Afghanistan-Uzbekistan railway line is likely to face considerable delays. While maintaining principled support for the project, Pakistan should utilize the current lag phase to prepare itself for regional connectivity by undertaking the following measures:

1. Upgrade, modernize, and organize PR on professional lines. In this regard, the upgradation, electrification, and expansion of trans-Pakistan railway network under ML1 project should start immediately.
2. Accept Kazakhstan's offer to upgrade Kotri to Khanpur railway line.
3. Upgrade the Torkham border to a state-of-the-art facility and connect it with Peshawar through a railway line that can bear the load of transit trade.
4. Harmonize its trade processes, align its planning with partner countries and establish regulatory convergence with regional countries under the CAREC initiative.
5. Broaden its export base and prioritise investment into research and innovation.
6. Get the basics right by upgrading its digital preparedness and investing in high-speed broadband and uninterrupted power supply.

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Managing Successful Conclusion of the Third Biennial Review (March 2020), with the EU, Leading to Retention of Pakistan's GSP+ Status

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Introduction

European Union (EU) is a unique integration of economic and political cooperation between 27 member states. The EU is a supranational mechanism in which member states have given up some of their sovereign rights to strengthen the Union's structure. Acting as a group, EU has broadened its relations with non-European countries over the years. Pakistan has always enjoyed reasonably good relations with individual EU member countries at the bilateral level, as well as, with the collective EU mechanisms based in Brussels. This relationship has been moving on in an upward trajectory and encompasses leadership level interactions, high-level military contacts, parliamentary exchanges, agreements and dialogue frameworks. Trade, however, remains the central feature of Pakistan's relations with the EU; the latter serves as the top market for Pakistani exports, with almost one third of Pakistan's total exports going to EU member states.

In December 2013, the European Parliament approved a legislation, with a heavy majority, granting Pakistan Generalized System of Preferences (GSP) Plus status that allowed duty free access to Pakistani products on 66 percent tariff lines into the EU. This was, at that time, considered as major success for Pakistan and crucial to enhance its exports to the 27-member block. The facility started from 1st January 2014 and as a result, Pakistan-EU bilateral trade increased by 36 percent since EU's grant of GSP Plus status to Pakistan. Amongst the eight GSP Plus beneficiary countries, Pakistan's share of exports under the scheme is the largest.

While Pakistan has benefitted immensely from this facility, it has nonetheless, come with stringent conditions and reporting obligations. EU requires all GSP Plus beneficiary countries to submit reports on the implementation of 27 international conventions that they have signed and are implementing internally. Inter alia, these conventions relate to human and labour rights, anti-corruption and good governance activities and the environment. The European Commission (EC), the executive body of the EU, undertakes a very rigorous examination of the implementation reports submitted by the beneficiary countries and also sends monitoring missions to observe the follow-up on the ground. Subsequently the EU Commission submits a report to the

¹ Foreign Service of Pakistan, 115th NMC.

European Parliament and recommends whether to continue allowing benefits of GSP Plus to a particular country or not. Final approval is given by the European Parliament.

This case study is an attempt to present the dynamics of the Biennial Review mechanism of the GSP Plus scheme and the pressures that Pakistan has had to face in order to respond to EU's probing, which at times goes beyond the responses submitted on implementation of the 27 Conventions. This process has never been an easy task either for the Ministry of Commerce (MoC), which is the main ministry dealing with this issue, or for the Ministry of Foreign Affairs (MoFA) that is responsible for the diplomatic side of the relationship with the EU. This study examines the manner in which Government of Pakistan (GoP) has acted to address the challenging issue of implementation of international conventions, with cross-cutting mandates, a process that has enabled submission of timely reports to the European Union thereby ensuring that Pakistan continued to benefit from the GSP Plus scheme.

The study deals with the third Biennial Review process carried out by the European Union that culminated in early 2020. It highlights how Director General (DG) Europe at MoFA carried out coordination with the MoC, Pakistani embassies in several EU capitals and relevant government departments (including relevant divisions within the MoFA) to ensure that Pakistan's responses to the issues raised by the EU were correct and submitted in a timely manner so as to ensure that Pakistan was able to successfully retain the GSP Plus status for another term of two years.

Scene Setter

DG Europe was assigned this task in July 2019. With previous experience of having served for many years in the Pakistan embassies in Athens and then at The Hague, he was considered the most suitable officer to head the Europe Division. This Division was as busy as any other desk at the MoFA. However, presence of a large number of European embassies in Islamabad and a similar number of Pakistani missions in Europe kept officers of this division very busy all year round.

Meeting foreign diplomats on a regular basis was part of the job. In August 2019 the European Union Delegation (EUD) in Islamabad had a new ambassador, a lady whose previous experience was in development and humanitarian sectors of the EU. That background meant that she was, at most times, very direct with her statements and not a person who minced her words. After arrival in Islamabad, she immediately started meeting people from across the social spectrum as would be normal for any ambassador. She was particularly focused on issues relating to human and labour rights. In October 2019, while meeting the business community in Islamabad, the newly arrived EU Ambassador stated that this time Pakistan's GSP Plus status was at risk if the government did not fully comply with the 27 international conventions. The very next day, these remarks of the ambassador were carried by all leading newspapers

of Pakistan and, not surprisingly, sent shock waves throughout the country generally and Islamabad more particularly.

The Europe Division of the Ministry of Foreign Affairs was the focal point for coordinating all the activities relating to the EU and Pakistan Embassy in Brussels. The DG Europe was called in by the Foreign Secretary (FS) to his room and was asked to see the report about the Ambassador's statement; he was also asked to comment as to why the Ambassador would have made such a remark. The FS had already received messages from the Commerce Secretary and the Prime Minister's office expressing concern on the Ambassador's statement.

The DG had seen the statement by then. Moreover, he was aware of the way the European Union worked. For him there was no reason to raise an alarm, but, at the same time, he was a bit worried that the EU may take some harsh measures and suspend Pakistan from the GSP Plus scheme if the EU's diplomatic mission in Islamabad was not handled properly. He then explained his view point to the Foreign Secretary who was not comfortable with the way the Ambassador's statement had come out in the open. The FS asked the DG to immediately initiate close liaison with the MoC and the Office of the Attorney General of Pakistan (AGP) to work out a strategy for expediting implementation work on some of the conventions which were considered highly important by the EU and had been placed among the 10 priority areas conveyed to Pakistan in 2018. DG Europe was further directed to devise a strategy for the Pakistani embassies in EU capitals to reach out to their host governments to lobby them in order to ensure that the GSP Plus status was extended at the culmination of the review process.

Theoretical Framework

Given the complex nature of the GSP Plus undertaking and the Biennial Review Mechanism, no single government entity could have delivered on the reporting obligations that the GoP was put under by the EU in order to retain the GSP Plus status. There was an immediate need to involve several ministries and departments, both at the federal and the provincial levels. This study is therefore based on the concept of "Whole of Government Approach (WOGA)," a term first coined by the former Prime Minister of the UK, Tony Blair, as a strategic plan tool (Christensen & Læg Reid, 2007). The approach advocates for making the system organic by adopting a holistic strategy and laying emphasis on inter-organizational policy and implementation networks. The organic approach advocates for a system employing the local component in the decision making, especially in terms of public service delivery mechanisms.

The Review Mechanism

The EU is the world's largest exporter of manufactured goods and services and often conditions preferential access to its market on achievement of Non-Trade Policy

Objectives (NTPOs), such as sustainable development, human rights and good governance. For the EU, trade policy is its principal instrument of foreign policy. Through its trade policies, the EU “exports” its values to its trading partners. This idea is enshrined in the Treaty on European Union (TEU). Article 21 of the Treaty² states, “[t]he Union’s action on the international scene shall be guided by the principles which have inspired its own creation,” including democracy, the rule of law and human rights. It also refers to the pursuit of NTPOs such as international security and sustainable economic, social and environmental development.

Ursula von der Leyen, the current President of the European Commission, promised that under her leadership the Commission will further strengthen the use of trade tools in support of NTPOs. In her ‘Agenda for Europe’,³ she stressed, “Trade is not an end in itself. It is a means to deliver prosperity at home and to export our values across the world” including “the highest standards of climate, environmental and labour protection, with a zero-tolerance policy on child labour.”

It was in pursuit of this policy goal that the EU granted GSP Plus facility to non-EU member states. The EU’s current Generalized Scheme of Preferences was enacted in the form of Regulation No. 978/2012 of the European Parliament and Council of the European Union. The Scheme offers a three tiered system of incentives:

- (a) General Arrangement (commonly known as Standard GSP)
- (b) A special incentive arrangement for sustainable development and good governance (commonly known as GSP Plus) and
- (c) A special arrangement for the least developed countries (‘Everything But Arms or EBA’).

GSP Plus grants full removal of tariffs on 66 percent of product lines. In return, countries undertake to implement 27 international conventions. These conventions are related to human rights (seven), labour rights (eight), environment (eight), and good governance (four).⁴

The European Commission (EC) undertakes a continuous Biennial Review of the implementation of these 27 international conventions. The first step in this process is provision of a “List of Issues” to the beneficiary country. This list is based on the last report and any updates of the benefitting country (with respect to the implementation status of conventions). The list identifies areas for implementation in the following two years. The EC formulates the list of issues which are, inter-alia, based on the report of the previous Biennial Reviews, inputs from EU Delegation in Islamabad, civil society

² Treaty of the European Union available at https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF accessed on 27.01.2022.

³ Agenda for Europe available at https://ec.europa.eu/info/sites/default/files/political-guidelines-next-commission_en_0.pdf accessed on 27.01.2022.

⁴ Details of these may be seen at Annex-I.

organizations (CSOs) and exchanges during bilateral dialogues and country reports of international organizations.

For the third Biennial Review, the EC provided the “List of Issues” to Pakistan in 2018 to which responses were to be submitted by 2019. This was to be a very rigorous process and involved coordination of various government departments at the federal as well as provincial levels. Apart from response to the List of Issues, a Monitoring Mission of the EC visits Pakistan and discusses the progress in implementation of the 27 international conventions with not only government authorities but also the civil society.

During the review process, the EC shares a list of priority areas where it expects urgent actions. These are areas of high concern for the EU and are expected to be addressed immediately. The EC presents its report containing conclusions on the implementation on 27 international conventions to the European Parliament, through its committees. The report is then presented to the Council of the European Union for adoption.

In case of serious enforcement gaps, EU institutions may decide for a temporary withdrawal of the GSP+ status. Earlier the European Commission had published assessment reports on Pakistan’s performance in implementing UN conventions in 2016 and 2018. Both reports were satisfactory as the country showed significant progress in undertaking legislation and creating new institutions to meet the criteria of the conventions.

Coordination with all Stakeholders

Pakistan has generally obliged itself to adhere to and implement several international conventions that it has signed and regularly submits reports at various international forums overseeing the implementation mechanisms of these conventions. However, Pakistan’s reporting obligations to the EU and the subsequent review process are unique and come with consequences in case of shortcomings or failure.

Implementation of these conventions cuts across several departments at the federal level and in many cases at the provincial level also. It was therefore a complex, cross-cutting and challenging job to ensure implementation of the conventions. It needed a WOGA or “whole of government approach” and a person or authority with the clout to spearhead the oversight. In 2018 the Prime Minister had approved the establishment of a Treaty Implementation Cell (TIC) under the leadership of the AGP; the Ministry of Commerce was declared as its Secretariat. On their part, the provinces established respective “Provincial Treaty Implementation Cells” which reported to the central TIC in Islamabad. Since its establishment in 2018, this multi-stakeholder mechanism had been functioning successfully and the coordination process for ensuring compliance with the relevant international conventions has been expedited. The process in itself is

working well, but due to overall nature and inherent lethargy of the bureaucracy in the country, the implementation process has been slow.

MoFA plays an important coordination role as far as the EU and its member countries are concerned. The DG (Europe) acts as Ministry's focal person in this regard. Due to coordinated efforts under the umbrella of TIC, in which DG Europe played a key role, Pakistan was able to successfully retain the GSP Plus facility completing three review processes since 2016. The fourth review process is currently underway and is being managed through the TIC. The EU on its part has duly recognized the effective role of the TIC, which was reflected in the final report of Third Biennial Review Process published in February 2020 (Commission 2020).

As noted above, monitoring of GSP Plus Scheme follows a set procedure whereby a list of issues is shared, priority areas are set out, monitoring missions visit the country and reporting obligations of different conventions are checked by the EC with inputs from different monitoring bodies. The conclusions in respect of countries benefitting from GSP schemes are then submitted by the EC to the European Parliament through parliamentary committees to the Council of the European Union. Although all this seems to be a straight forward and well defined step-by-step reporting process, but the fact is that it is never above political overtones.

Current priorities of the EU always have a significant role in actions and responses expected to be completed by the benefitting country. Such priorities are also reflected in the list of priority actions, focus of the monitoring mission, final conclusions of the EC and also the debates in the European Parliament. Besides human rights which is a cross-cutting issue and is championed by the EU, migration and climate change have been highly debated topics in the European Parliament. The DG apprised the members of the TIC about the issues arising in the EU and expectations from its trading partners.

It would be clear by now that the Biennial Review is not a stand-alone process. Responses furnished by GSP Plus beneficiaries are used as basepoints for the next review. Moreover, the report submitted by the EC to the European Parliament and Council of the EU is used as the reference in parliamentary debates (and also in other policy and academic fora). In this case, some points in the list of issues and 10 priority areas forwarded by the EC related to human rights and good governance but were not covered by the 27 international conventions. While Pakistan had taken action in these areas in its own interest, it was conveyed to the EC that these matters are beyond the jurisdiction of 27 international conventions and that our responses are manifestation of our commitment to the principles espoused by the EU. The main intent of highlighting our concern was to avoid future reporting obligations beyond the 27 international conventions so as to smoothen our way for the next review.

The DG thoroughly vetted the final report before its submission to the EC. It is essential to have such a review as the GSP+ issue is very sensitive. Ensuring that the report's language is compliant with diplomatic nuances and conveys the correct message is

essential. Occasionally line ministries forward the responses received from provinces or other subordinate departments without careful vetting. In some cases, these responses are not very clear or do not conform to diplomatic nuances – even though these may be correct. Thus, the role of the DG Europe is crucial in vetting all the responses and associated documents before their submission to the EU side.

Reaching out to EU Member Countries: Building Trust and Finding New Friends

Pakistan was placed as a “country of focus” during the 2nd Biennial Review in 2017. The AGP had to appear before the International Trade Committee (INTA) of the European Parliament to brief them about progress achieved by Pakistan in implementing the 27 international conventions. As is widely known, EU has always focused on some key areas such as human and labour rights. The visit of AGP to Brussels, in conjunction with hectic diplomatic efforts bore fruit, and Pakistan was able to successfully defend its position at the EU and was able to retain the GSP Plus status at the 2nd Biennial Review.

There was, however, an apprehension that EC may once again designate Pakistan as a “country of focus” during the Third Biennial Review process. This would have put Pakistan’s status of GSP Plus at risk. The arrival of new EU Ambassador who appeared to be much more focused on human and labour rights issues was a signal for some hard times in the making. Unlike the previous ambassador, she was very forthright and blunt in her communications both at the official level as well as in her interactions with the media. It was in this context that the FS had tasked DG Europe to come up with a plan to undertake a diplomatic campaign both at Islamabad as well as in European capitals to lobby with member countries and get them on Pakistan’s side. With the exit of the UK and its parliamentarians after the Brexit,⁵ Pakistan had lost a vital support base in the European Parliament. It was therefore necessary to find new friends within Members of the European Parliament (MEPs) who would support Pakistan whenever the country required it. In the past Pakistan had heavily relied on the British MEPs, particularly those of Pakistani origin.

While the Ministry of Commerce was actively involved in coordinating implementations on the 27 conventions through the TIC, the DG Europe drafted a roadmap for engaging resident EU ambassadors in Islamabad (numbering 16) as well as engaging the individual EU member countries through Pakistan embassies in their capitals.

As a first step, the roadmap proposed that the Foreign Minister (FM) host a working luncheon for the EU ambassadors in Islamabad and brief them on Pakistan’s efforts to

⁵ The UK voted to leave the EU in 2016 and officially left the trading bloc - its nearest and biggest trading partner - on 31 January 2020 <https://www.bbc.com/news/uk-politics-32810887>.

improve human rights related mechanisms and also inform them about other initiatives of the government. This was a first of its kind meeting wherein the ambassadors would have an opportunity to raise any issue with the FM. This luncheon was held in November 2019. The FM spoke to the ambassadors very candidly and they also responded freely and asked questions of their interest. The initiative was appreciated by all of them. Some of them, particularly those from smaller embassies such as Portugal, Romania, and Hungary called the DG and conveyed their gratitude for providing them this opportunity to freely interact with the FM.

The DG also ensured that the new Ambassador of the EU Delegation was kept in good humour so that she could share important information relating to her activities in Pakistan, including any observations related to GSP status of Pakistan. This strategy worked to a good extent as the ambassador was open about shortcomings in Pakistan's response and forthcoming in providing the required assistance.

The engagement strategy prepared by DG Europe also included a recommendation for Pakistani ambassadors in EU capitals to reach out to the MEPs from their host countries, the host governments, relevant think-tanks, CSOs and the media to brief them about progress achieved by Pakistan in improving the human rights situation in the country. The ambassadors were to particularly focus on recruiting new support bases for Pakistan within the European Parliament. Instructions were prepared and conveyed through a detailed cypher telegram⁶ to all ambassadors in EU capitals. They were asked to send regular reports on their engagements as conveyed. While Pakistan's embassy in Brussels was the focal mission to engage with EU institutions, the outreach campaign by the ambassadors in other EU capitals was equally important.

The responses from the EU capitals were compiled to create a scenario for the FS and other high-level officials of the government. MoFA was then able to reinforce efforts where they were most needed.

Since ambassadors of member states of the EU making up the Union in Islamabad shared notes with the Head of EU Delegation in Islamabad, both individually and collectively, and strived to increase trade and economic activities between Pakistan and EU member states, the DG ensured highlighting commitment of Pakistan to international conventions related to GSP Plus during his interactions with representatives of EU member states. This ensured that Pakistan's narrative was conveyed to EU by its member states at working and leadership levels as well.

The DG Europe visited Brussels to attend 10th Pakistan-EU Joint Commission and co-chaired its sub-Group on Democracy, Governance, Human Rights and Rule of Law in November 2019. Apart from briefing about actions taken by Pakistan for the effective

⁶ Cypher Telegram is communication method by which messages from the Foreign Secretary are sent to the embassies in a coded format. And the ambassadors also respond in similar way by addressing their messages to the Foreign Secretary.

implementation of 27 international conventions related to GSP Plus during the Joint Commission and its sub-Groups, discussions were held on the sidelines of the meetings with officials responsible for drafting the report of Biennial Review i.e. representatives of Directorate General of Trade of the EC. This too went a long way towards ensuring a positive document.

The proposed strategy also included visits by the FM and Advisor to PM on Commerce and Investment to Brussels. Due to changes in the EC after the new elections, the FM's visit could not take place in 2019. However, in January 2020, the Advisor on Commerce and Investment visited Davos and Brussels on the eve of the Third Biennial Review. The Advisor held several bilateral meetings to lobby for a successful outcome of the GSP Plus review. He met with EU Trade Commissioner and other influential MEPs, including the chairs and vice-chairs of influential parliamentary committees and heads of different political groups in the European Parliament.

The Prime Minister of Pakistan, met with the President of the European Parliament, Mr. David Sassoli at Davos in January 2020. The meeting proved productive in highlighting the progress made by Pakistan and soliciting the support of European Parliament for continuation of GSP Plus status.

Challenges and Pitfalls Encountered

It is important for a GSP Plus beneficiary country to constantly demonstrate strong commitment to the obligations emanating from implementation of the 27 International Conventions. Under the GSP Regulations, if at any time the EC has reasonable doubt that a beneficiary is not respecting its binding commitment to comply with the reporting obligations under the relevant international conventions, or to cooperate with the respective monitoring bodies and the EC, or to maintain ratification and ensure effective implementation of the relevant international conventions, then the Commission can initiate the procedure for a temporary withdrawal.

GSP withdrawal is an option of last recourse when other forms of dialogue and cooperation have not produced the desired improvements. A temporary suspension of GSP facility would have been disastrous for Pakistan's exports to the EU market. On the other hand, the implementation on several obligations was either slow or stuck in the approval processes for a long time. Since the Second Biennial Review, the EC had identified certain areas on which they had put special focus.

In a letter addressed to the Advisor on Commerce and Investment in November 2018, the European Commissioner for Trade had spelt out 10 priority areas on which the EU had a special focus and was interested in gaining progress in order for Pakistan to retain the GSP Plus status. These areas included the following:

- (i) ensuring freedom of expression;
- (ii) effectively addressing the issue of enforced disappearances;
- (iii) securing an enabling environment for NGOs;
- (iv) adopting and implementing a comprehensive anti-torture law;
- (v) restricting the application of the death penalty;
- (vi) enhancing the rights of women and children;
- (vii) combatting forced and child labour;
- (viii) ensuring freedom of association;
- (ix) ensuring collective bargaining and occupational safety and health;
- (x) strengthening cooperation with the United Nations;
- (xi) significantly increasing capacity (staff and skills) of the labour inspectorates, in consultation with ILO;
- (xii) strengthening independence of key institutions with adequate resources and statutory powers and
- (xiii) finalizing the interfaith harmony policy (the letter is placed at Annex).

In pursuance of the above areas identified by the EU, the Ministry of Commerce held a number of meetings to sensitize all relevant stakeholders, including the Provincial TICs, to expedite progress in these areas. DG Europe attended all the meetings on behalf of MoFA and informed the participants of the diplomatic efforts undertaken to garner support for Pakistan at the European Parliament. It was emphasized that full and effective implementation of the treaties and conventions already signed by Pakistan was in the national interest of the country. Progress achieved in these areas will strengthen the diplomatic effort being undertaken in the EU capitals.

The DG (Europe) also held a number of meetings with relevant officers of the MoFA to fine tune the inputs on important matters such as human rights, climate change and other multilateral related issues. The same was carried to meetings with other stakeholders of the federal government especially the Ministry of Human Rights and Ministry of Industries, where the most important aspects of the priority areas and the follow up questionnaire were emphasized. Another significant role played by DG Europe was the final vetting of all the replies and documents that were to be submitted to the EU. Although MoFA had been involved in the process of Biennial Review from

the start, the language of the final text needed to be watertight to ensure that Pakistan did not provide the EU with any leads that were outside of the 27 international conventions which were associated with the GSP regulations. The final vetting involved days of detailed scrutiny of the texts and removing any objectionable material that could cause a media frenzy or put Pakistan in hot waters at a later stage. This process also involved close cooperation with other departments of the government especially the provincial departments.

At one of the meetings of the TIC, DG Europe informed the participants that while EU was against the death penalty, due to hectic diplomatic efforts, they had come to understand Pakistan's position on the issue. However, they would like to see a reduction in number cases that are punishable by death. It may be noted that in Pakistan currently there are 33 offences⁷ punishable by death, of which some could easily be removed from the list by making amendments in the relevant laws. For example, 'perjury' under Section 194 of Pakistan Penal Code (PPC) is punishable by death.⁸ This section in the PPC could easily be amended and converted into life imprisonment. Another example is that of kidnapping for lust under section 367-A of PPC which is also punishable by death. This particular provision could also be dropped from the list by making an amendment in PPC.

During several interactions both in Islamabad and in Brussels, it was conveyed to the EU that Pakistan is working on the list and the number of offences punishable by death would be reduced. This position was also conveyed to the EC in writing and in response to a letter of EU Trade Commissioner. The Ministry of Human Rights had undertaken a detailed study of the offences and sent its recommendations to the ministries of Interior and Law and Justice. However, due to bureaucratic bickering the issue remained unresolved. Neither the Ministry of Interior nor Ministry of Law and justice was willing to take the first step. Instead, they continued to throw ball into each other's courts. DG Europe reached out to Secretary Commerce and requested him to apprise the AGP so that he could intervene and make the relevant ministries work on the issue. This being a low hanging fruit was easier to achieve and would have conveyed a very positive message, not only to the EU, but also to the rest of the international community. Unfortunately, this did not happen until the review process was complete.

One of the other priorities identified by the EU Trade Commissioner was ensuring freedom of association, collective bargaining and occupational safety and health. The EU wanted Pakistan to ensure that trade unions and other employment legislation was fully applicable in Export Processing Zones (EPZ) and provide information on the state of play of extending the application of labour legislation to the Special Economic Zones (SEZ). This issue was raised in response to Ministry of Industries SRO 1004(I)/82, dated 10-10-1982, which had exempted the EPZs from the application of

⁷ Justice Project Pakistan available at <https://data.jpp.org.pk/en/document/ngo5vvasxsr?page=1> accessed on 23.01.2022.

⁸ Justice Project Pakistan available at <https://data.jpp.org.pk/en/document/ngo5vvasxsr?page=1> accessed on 23.01.2022.

labour laws related to ‘right to unionize’.⁹ At a dinner hosted for EU ambassadors in Islamabad in December 2019, Prime Minister’s Adviser on Commerce and Trade had promised to withdraw this SRO within days. However the relevant ministry was unable to do this till the filing of the GSP report by EC to the INTA committee of the European Parliament.

Despite all these challenges, Pakistan was able to convey strong messages of commitment to the EU side. Importantly the EU remained engaged with Pakistan and continued to work very closely on the implementation of 27 international conventions. Although the pace of progress on implementation was slow but the commitment of all government institutions involved in the process was firm. It was agreed that EU will not be given an impression that Pakistan lacks commitment. Such message of strong commitment was also conveyed by the Prime Minister to the President of the European Parliament, Mr. David Sassoli, when the two met in Davos, on the sidelines of the World Economic Forum, in January 2020.

Culmination of the Process: Pakistan Retains the Status

Despite being slow in achieving progress in a number of implementation areas, Pakistan never gave an impression to the EU side that it lacked commitment in ensuring compliance with its obligations. The coordinated efforts of the Ministry of Commerce and the Ministry of Foreign Affairs achieved the desired result and Pakistan was able to retain its GSP Plus status after the report was approved by the European Parliament. Only a minimum number of obligations were carried forward for the next review. Some of the key points of the report are given below:

- Pakistan was granted GSP+ in 2014 and has committed to maintain ratifications and meeting reporting obligations with respect to the 27 UN conventions.
- The new government has shown a keen interest in maintaining GSP+ for implementation of its agenda of economic growth, job creation, and fighting corruption and climate change.
- Reporting to the UN monitoring bodies has significantly improved.
- Notwithstanding positive measures in the area of rights of women, children and transgendered persons, implementation remains slow.
- Political will needs to be coupled with determined action for reform.
- Launch of a web portal by TIC in Punjab was significant step.

⁹ Export Processing Zones Authority available at <https://epza.gov.pk/wp-content/uploads/2020/07/sros-1.pdf> accessed on 23.01.2022.

- Improvements have been made in adopting legislation.
- Criminalization of enforced disappearances, would be a significant step forward.
- Situation of labour welfare has improved in some provinces.
- Pakistan has made a high-level political commitment in June 2018 to address these deficiencies in its AML/CFT regime by the implementation of FATF Action Plan.

Conclusion

This case study has showed that government departments at both federal and provincial levels are able to work together for a national cause and deliver results. The role of the TIC was very crucial in achieving the desired outcome as it provided a solid platform for all relevant government departments to come together and perform. The study highlighted that every department of the government in a “Whole of Government Approach” has an important role to play. In this case the role played by the DG Europe and MoFA was crucial in terms of guiding/briefing the TIC regarding requirements of the EU and launching a diplomatic campaign in support of Pakistan’s bid to secure a successful outcome at the Third Biennial Review of the GSP Plus. In case of failure the consequences would have been disastrous for the country as the exports to EU would have been badly hit.

Lessons Learned

After the successful culmination of the review process the following lessons were learnt for the future

1. While Pakistan is an Important Partner for EU, there is Always a Risk of their Institutions Taking Strict Action

For the EU their own values which are based on rule of law, democracy, governance and human rights are more important.

2. Whole of Government Approach Delivers Result

When the issues being addressed are complex in nature and involve multitude of stakeholders, then it is not possible for one government department to address these alone. ‘Working in silos’ type of approach, with limited coordination and cooperation of relevant departments, can never produce desired results. In this particular case study, a key takeaway was that when a coordination mechanism was placed under the overarching command of AGP, the pace of implementation was streamlined and it enabled Pakistan to demonstrate its seriousness in its commitments to the EU. For its

part, the EU duly recognized and praised the role of this central coordination mechanism.

3. Implementation of 27 International Conventions is in Pakistan's Own Interest

The key takeaway from this case study is that the country should not wait for outsiders to come and ensure that human rights situation in Pakistan is improved.

4. Do Not Give Out More Information than is Required

As the GSP review is a cyclical process and any reply submitted to the EU could be used in the follow-up procedures, it was necessary to ensure that Pakistan's reply restricted itself to the issues at hand. Any extra information supplied to the EU, beyond the scope of implementation of the 27 international conventions that formed part of the GSP regulation, was done so with a disclaimer. This allowed Pakistan to ensure that it would not become part of the next cycle.

Recommendations/Way Forward

When the news of Pakistan retaining its GSP Plus status for the next two years came from Embassy in Brussels, there was a sense of relief for all those who had worked tirelessly on this subject. The DG Europe was called in by the FS into his office to convey his appreciation to him and his team. The FS asked the DG as to what should be the next course of action for Pakistan in terms of preparations for the Fourth Review process which would be the last one before a new mechanism replaces the GSP Plus? The DG pointed to the Mid-Term Evaluation of the GSP Scheme which had been conducted by the EU in 2017. In the light of that evaluation, the EC had considered that implementation of the GSP Regulations could be improved in two important aspects: improving transparency in GSP monitoring and improved involvement of civil societies both in the EU and the beneficiary countries. Promoting greater awareness of GSP among the business community and CSOs in beneficiary countries was also important. He further informed the FS that the EC had launched preparatory work to support a possible review of the legal framework governing GSP. In this regard, the Commission had awarded a contract for a "Study in support of an impact assessment to prepare the review of the GSP Regulation" to BKP Development and Research Consulting GmbH, an economic research and consulting firm based in Germany.

The DG also informed the FS that based on the latest developments in the EU's internal structure and GSP regulations governance, the lessons learnt from previous exercises and the upcoming legislation for a new trade related scheme, the following proposals/recommendations are submitted:

- Engage actively with the EU and its institutions during the Biennial Review process with a view to demonstrate progress on the priorities identified by the EU and its commitment to the GSP Plus.
- Optimize benefits from the GSP Plus through diversification of exports to the EU. Since almost 75 percent of all exports from Pakistan to the EU were in textiles due to favourable tariffs being offered by the GSP Plus status, it was a worrying sign that the EU was steadily moving towards organic cotton and a carbon neutral regime, which would eventually put pressure on Pakistan's textile industry and its exports as well. Therefore, while GSP+ had allowed Pakistan to consolidate its overall exports to EU, the Ministry of Commerce needed to develop an action plan for this purpose together with relevant stakeholders to better project other sectors of Pakistan in the EU and encourage Pakistan's business to go for branding and product differentiation.
- Initiate an impact assessment of the European Green Deal on Pakistani exports and FDI's from European countries so as to calibrate our response. The European Green Deal is likely to have significant impact on imports into Europe as well as outflow of investments from European countries. These include additional tariffs restrictions, certification requirements or other NTBs to promote carbon neutrality of products. GSP is one of the instruments available for the EU to operationalize the deal in third countries. The Ministry of Commerce and Board of Investment need to get these assessments done asap.
- Expand cooperation with the EU institutions to enhance capacities of relevant institutions dealing with Sanitary and Phytosanitary Measures (SPS) and Technical Barriers to Trade (TBT).
- Learn from the latest studies being undertaken in the world as well as techniques being applied in the EU to produce, process, package, and market our agriculture and marine goods so that these could also be exported to the EU in large quantities. This engagement is especially important for large scale agriculturists with significant holdings.
- Enhance engagement with SMEs, businesses and industries to invest in Special Economic Zones and Export Processing Zones in Pakistan. Investments from Pakistani business-people living in the EU member states need to be encouraged.
- Recognize and act on the priority areas shared by the EU, particularly the national legislation to be brought in line with ILO Conventions and extending its applicability to EPZ and SEZs. In this regard, observance of the labour laws is of critical importance.
- Initiate our own assessment to assess Pakistan's participation in the post-2023 GSP scenario. GSP has proven to be an effective tool for the EU Foreign Policy, including

for advancing its human rights priorities and objectives in the beneficiary countries. The EU maintains that continued engagement and dialogue with beneficiary countries remain critical to achieve the desired objectives of the GSP regulations. While we await the publication of the study commissioned by the EU for the review of the GSP Regulations, it would be important to do our own homework, while taking into account political, economic and social dimensions.

- Engage with UK which has already announced that the GSP Plus beneficiary countries would continue to receive the same trade concessions as were part of the EU GSP Plus till 2023. Thus, in trade terms, Brexit will not have any immediate implications for Pakistan.

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Treaty of the European Union available at https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF accessed on 27.01.2022.

Annexure I

The Relevant GSP+ Conventions

PART A: Core Human and Labour Rights UN/ILO Conventions

1. Convention on the Prevention and Punishment of the Crime of Genocide (1948)
2. International Convention on the Elimination of All Forms of Racial Discrimination (1965)
3. International Covenant on Civil and Political Rights (1966)
4. International Covenant on Economic Social and Cultural Rights (1966)
5. Convention on the Elimination of All Forms of Discrimination Against Women (1979)
6. Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
7. Convention on the Rights of the Child (1989)
8. Convention concerning Forced or Compulsory Labour, No 29 (1930)
9. Convention concerning Freedom of Association and Protection of the Right to Organise, No 87 (1948)
10. Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, No 98 (1949)
11. Convention concerning Equal Remuneration of Men and Women Workers for Work of Equal Value, No 100 (1951)
12. Convention concerning the Abolition of Forced Labour, No 105 (1957)
13. Convention concerning Discrimination in Respect of Employment and Occupation, No 111 (1958)
14. Convention concerning Minimum Age for Admission to Employment, No 138 (1973)
15. Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, No 182 (1999)

PART B: Conventions Related to the Environment and to Governance Principles

- 16.** Convention on International Trade in Endangered Species of Wild Fauna and Flora(1973)
- 17.** Montreal Protocol on Substances that Deplete the Ozone Layer (1987)
- 18.** Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989)
- 19.** Convention on Biological Diversity (1992)
- 20.** The United Nations Framework Convention on Climate Change (1992)
- 21.** Cartagena Protocol on Biosafety (2000)
- 22.** Stockholm Convention on persistent Organic Pollutants (2001)
- 23.** Kyoto Protocol to the United Nations Framework Convention on Climate Change(1998)
- 24.** United Nations Single Convention on Narcotic Drugs (1961)
- 25.** United Nations Convention on Psychotropic Substances (1971)
- 26.** United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)
- 27.** United Nations Convention against Corruption (2004)

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Challenges of Pakistani Community in Bahrain: The Role of Pakistan Embassy

Saad Bin Rafiq¹

Introduction

Workers' migration from Pakistan has remained a significant contributor to the national economy by way of providing employment and financial support through remittances. The bulk of this migration has taken place (and continues to do so) to the Gulf Cooperation Council (GCC) countries. The Kingdom of Bahrain remains the fifth largest destination for Pakistani workers.² However, these workers face a number of challenges in Bahrain that are the outcome of several factors.

As in almost all the GCC countries, emigrants in Bahrain work under a sponsorship or *kafala* system that ties the immigration status of a worker to his or her sponsor – a local individual or a company. This provides excessive leverage to the sponsor over the employee for the latter's exploitation. The vulnerability grows when the expatriate worker is not well-educated, and hence ill-informed about his or her rights and means to overcome any exploitation. The majority of Pakistani emigrants in Bahrain comprise unskilled or semi-skilled blue collar workers who are especially at risk of excesses from their sponsors.

The Embassy of Pakistan in Bahrain is a critical support mechanism for such workers who are unable to directly interact with the host government agencies. While the embassy provides necessary support, it is paramount to first examine the labour regime of Bahrain and other root causes that contribute towards different kinds of exploitations meted out to our emigrants.

Statement of Problem

There are about 120,000 Pakistanis residing in the Kingdom of Bahrain, constituting the second largest expatriate community. More than 80 percent of these are blue collar workers. They work under a sponsorship or *kafala*-system which has historically been linked to labour exploitation. A number of reforms have taken place in the labour ecosystem of Bahrain, but labour exploitation is still prevalent. This paper aims to examine the labour regime, especially the sponsorship system, in Bahrain and the emigration chain with a view to delineate various aspects that provide the breeding

¹ Office Management Group, 32nd MCMC.

² Ministry of Finance, "Economic Survey of Pakistan 2020-21" under 'Chapter 12: Population, Labour force and Employment' page 237 https://www.pc.gov.pk/uploads/cpec/PES_2020_21.pdf (Accessed 21 October 2021).

ground for labour exploitation. The study shall dilate upon the following research questions;

- (i) How does the sponsorship based labour regime of Bahrain contribute to the illegal exploitation of Pakistani blue collar workers in Bahrain?
- (ii) How does Government of Pakistan (including the embassy in Bahrain) provide relief to the Pakistani victims of labour exploitation?

Significance and Scope of the Study

The study is limited to examining labour exploitation issues specifically faced by the blue collar Pakistani workers in Bahrain. The scope is further focused on the four major ILO defined labour exploitation indicators related to withholding wages, confiscation of passports, deceptive service contracts and irregular visa practices.

Review of Literature

This study is the first work that specifically examines labour exploitation of Pakistanis in Bahrain. Accordingly, the author could not find any specific research on these lines.

Radhika Kanchana (2018) has traced the historic origin of sponsorship system in Arab Bedouin practice of providing safe-passage to strangers.³ The British continued this tradition during the 1950s to keep the local population assuaged vis-a-vis the influx of migrant workers. She has concluded that the GCC region institutionalized the system in modern times after the 1970s oil-boom. On the other hand, Kali Robinson of the Council on Foreign Relations (2021) connects *kafala* with Islamic Jurisprudence on legal guardianship. In modern times, this system emerged from the demand of cheap labour in GCC countries and desperation for employment opportunities in South Asia.⁴ Ann Nga Longva (1999) has suggested that *kafala* strengthened during the pre-oil pearl exploration economy of the gulf region in early 20th century.⁵ However, she points out that the sponsorship system was diluted in Bahrain owing to a better local to expatriate ratio in comparison with neighboring Kuwait and Qatar. These studies have helped shape Section-I of this study.

European Centre for Democracy and Human Rights (2019) finds a correlation between the *kafala* system in Bahrain and long work hours, withholding of salaries and

³ Radhika Kanchana, "Is the Kafala tradition to blame for exploitative work-conditions in Arab Gulf countries?"

"Paris, March 2, 2021.

https://www.researchgate.net/publication/324203451_Is_the_Kafala_Tradition_to_Blame_for_the_Exploitative_Work_Conditions_in_the_Arab-Gulf_Countries (accessed 22 November, 2021).

⁴ Kali Robinson, "What is Kafala System?" Council on Foreign Relations (cfr), March 2021.

<https://www.cfr.org/background/what-kafala-system> (accessed 17 November, 2021).

⁵ Ann Nga Longva, "Kafala System in Gulf" *Middle East Research and Information Project*, 1999, 211 ed.

<https://merip.org/1999/06/keeping-migrant-workers-in-check/> (accessed 11 November, 2021).

passports, abusive recruitment fees and dilapidated work conditions.⁶ While highlighting a number of reforms in the *kafala* system of Bahrain, it identifies gaps in actual implementation of the progressive reforms which are extensively elaborated in Section-I of this paper.

International Labour Organization (ILO) guidelines clearly define indicators of labour exploitation and forced labour. The indicators in this paper which relate to wages, contract, work conditions have been borrowed from ILO standards.

Pranav Naithani and A.N. Jha (2009) explore the relationship of social norms of superiority in Arab society with the social segregation and resultant exploitation of outside labour.⁷ The study, however, falls short of linking existing gaps in the implementation of progressive laws with this social mindset.

Migrant Rights Forum (2019) has pointed out that increasing incidences of wage non-payment in Bahrain has resulted in worker protests including those by Pakistanis.⁸ ILO's Rapid Assessment Study on Covid-19 impacts on Pakistani human resource in the GCC countries conducted by Zishan Ahmed Siddique (2021) highlighted massive layoffs, repatriations and forced leave of Pakistanis from GCC including 1500 from Bahrain,⁸ underscoring a trend in which local sponsors tend to terminate contracts abruptly and withhold labour payments in a crisis. Moreover, Migrant Forum in Asia (2019) highlights Bahrain's attempts at reform and gaps in implementation.⁹ Abdoulaye Diop, Trevor Johnston, and Kien Trung Le (2018) examine challenges hindering the reform process which have helped shape Section III of this paper.

Research Method

This paper follows an analytical and exploratory research design. Major reliance has been placed on secondary sources comprising journals, reports, research papers, online sources and policy briefs. In some areas, information has been directly taken from primary sources through interviews. Various laws and policies of both Pakistan and Bahrain have also been consulted.

⁶ European Center for Democracy and Human Rights, *Bahrain: Migrant Workers Rights*, Brussels: EDCHR, June 2019. https://www.ecdhr.org/wp-content/uploads/2019/06/2019.06_Bahrain_Migrant-workers%E2%80%99rights.pdf (accessed 5 November, 2021).

⁷ Pranav Naithani, and A.N. Jha, "Challenges faced by expatriate workers in GCC countries", under, 'Research', *Munich Personal RePEc Archive MPRA*, 2009. <https://mpra.ub.uni-muenchen.de/67679/> (accessed 12 November, 2021).

⁸ Migrant Rights Bahrain, "Non-payment of wages: An issue on the rise for low-income migrant workers in Bahrain" *Migrant-Rights.org Report* October 13, 2019. <https://www.migrant-rights.org/2019/10/non-payment-of-wages-an-issue-on-the-rise-for-low-income-migrant-workers-in-bahrain/> (accessed 15 November, 2021). ⁸ Zishan Ahmed Siddiqui, *The impact of COVID-19 on Labour Migration Governance, Recruitment Practices and Migrant Workers*. Research, ILO, Pakistan: ILO, 2021.

⁹ Migrants Forum in Asia. "Policy Brief No. 2: Reform of Sponsorship System." *International Labour Organization*. n.d. <https://www.ilo.org/dyn/migpractice/docs/132/PB2.pdf> (accessed 20 November, 2021).

Organization of Paper

This research paper is divided into three sections. The first section covers the legal framework of labour ecosystem of Bahrain while specifically discussing the dynamics of the sponsorship system, its background and reforms. The second section focuses on labour exploitation of Pakistani blue-collar workers, delineating four ILO indicators of labour exploitation. It also highlights the mechanisms and role of Embassy of Pakistan for redressal. The third section analyses contribution of sponsorship system and other factors in the migration chain – on both Pakistani and Bahraini sides – towards the prevalent labour exploitation culminating in a fish-bone analysis.

Section I

Labour Regime of Bahrain

Comprising an area of 785 sq. kilometers and a population of 1.6 million,¹⁰ Bahrain is the smallest member state of the six GCC countries. Under British rule, oil was first discovered in the Middle East in Bahrain in 1932.¹¹ Since its independence in 1971, the al-Khalifa family has been ruling Bahrain, providing a stability that has led the Kingdom to continue on its growth trajectory towards a diversified economy with 80 percent contribution from non-oil sectors.¹²

Owing to its small local population, Bahrain relies heavily on expatriate labour who make up 52 percent of the total population for local economic productivity.¹³ The expatriates are mostly from South Asia. Pakistanis comprise about 11 percent of the total workforce, and are mostly employed in construction, security, maintenance, manufacturing and retail sectors. While some Pakistanis are employed in highly professional roles, the bulk of around 80 percent are employed as blue-collar workers.¹⁴ The ILO defines a blue-collar worker as a person whose job mostly comprises manual work, having skills at various trades or unskilled labour.¹⁵

¹⁰ Britannica Encyclopedia, "Bahrain", under 'facts', <https://www.britannica.com/facts/Bahrain> (accessed 10 November, 2021).

¹¹ BAPCO – Bahrain Petroleum Company", 'About us (History)' <https://tinyurl.com/uzf4693n> (accessed 17 November, 2021).

¹² Government of Bahrain, "Ministry of Information Affairs", under 'Business and Economy' <https://www.mia.gov.bh/kingdom-of-bahrain/business-and-economy/?lang=en> (accessed 7 November, 2021).

¹³ The Daily Gulf Insider, "Bahrain population crosses 1.5 Million mark of which 52.6 percent are expatriates" under 'Middle East', <https://www.gulf-insider.com/bahrain-population-crosses-1-5-million-of-which-52-6-are-expats/> (accessed 5 November, 2021).

¹⁴ Muhammad Ayub, Ambassador of Pakistan to Bahrain, interview by author, 20 November, 2021.

¹⁵ Robert Heron and Liesbeth Unger, ILO Glossary of Labour Administration, International labour office, 1992, Thailand.
https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/--lab_admin/documents/publication/wcms_111331.pdf (accessed 19 November, 2021).

1.1 Legal Framework

Expatriates in Bahrain are governed under a sponsorship (*kafala*) system. Aliens Immigration and Residence Act of 1965,¹⁶ Law No. 19 of 2006 Regulating the Labour Market¹⁷ and Labour Law No. 36 of 2012¹⁸ make up the foundation of the legal framework for migrants in Bahrain. In 2006, Labor Market Regulatory Authority (LMRA) was established for regulating expatriate labour market. This authority issues, cancels and renews all kinds of expatriate work permits.¹⁹

The Ministry of Interior controls residency visas and conducts operations against illegal resident workers. The Ministry of Labour is responsible for sponsor-employee matters and dispute resolution mechanisms are therein. Unsettled cases are referred to Labour Courts working under Ministry of Justice as there is no separation of executive and judiciary in Bahrain.

1.2 Sponsorship System

The sponsorship or *kafala* system formally emerged in 1950s to regulate expatriate workers in the Middle East²⁰ laying the foundation for contractual emigrant labour markets in GCC countries (including Bahrain). It maintains control of a local sponsor (either an individual or an organization) over expatriate workers in the host country and ensures temporary nature of the labour transaction. Sponsorship policy, in turn, grants flexibility to the government to easily manage migration model by outsourcing responsibility to the sponsors. Thus, the government can conveniently pull or push desired migration in times of economic booms and busts respectively.

In Bahrain, the system is institutionalized through a legal framework that recognizes the expatriate worker only through the sponsor. This provides considerable discretionary power to local sponsors over migrant workers that translates into a wide scope for labour exploitation.²¹ Moreover, employment and legal residency are inter-linked, therefore, private local individual sponsors or companies control expatriate workers' legal status. This framework creates an employer-worker power imbalance²² that in turn contributes to labour exploitation.

¹⁶ Government of Bahrain, "Aliens Immigration Residence Act, 1965", <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=3fb9f4bd4&skip=0&query=bahrain%20alien%20immigration> (accessed 17 November 2021).

¹⁷ LMRA, "Labour Law of Bahrain", <https://lmra.bh/portal/files/cms/shared/file/labour%20law%202012.pdf> (accessed 9 November, 2021).

¹⁸ Ibid.

¹⁹ LMRA, "About us", <https://lmra.bh/portal/en/page/show/56> (accessed 29 November, 2021).

²⁰ Migrants Forum in Asia, "Policy Brief No. 2: Reform of Sponsorship System.", <https://www.ilo.org/dyn/migpractice/docs/132/PB2.pdf> (accessed 20 November, 2021).

²¹ Ibid.

²² Kali Robinson, "What is Kafala System?", Council on Foreign Relations 2021 <https://www.cfr.org/background/what-kafala-system> (accessed 17 November, 2021).

1.3 Reforms and Current Situation

Bahrain initiated a major transformation in the sponsorship system in 2009, when the then Minister for Labour equated the system with “slavery” and vowed to terminate it,²³ abolishing the mandatory approval of sponsors for changing the employer by expatriate workers. The decree also aimed at gradually doing away with the sponsorship system as a whole. However, only after two years, LMRA conditioned this freedom with requirement of spending at least one year with the current sponsor.²⁴ Moreover, the *kafala* system remained intact till date (2021), well beyond the stipulated deadline of 2017.

While Bahrain does provide protections that are not available in the other GCC countries, its law still does not provide for fixing of minimum pay by sponsors. Similarly, Bahrain has not ratified International Convention on the Protection of the Rights of All Migrant Workers.²⁵

Similarly, Bahrain also announced rolling out of electronic Wage Protection System (WPS) in 2012 to curb wide-spread delays of wages paid in cash to workers by making bank transfer of wages mandatory for employers to maintain record and transparency.²⁶ However, Bahrain is still in the consultation phase and has given a three-stage plan for employers to commit to the system till May 2022 without attaching any penalties.

1.4 Master-Slave Social Mindset

Despite labour reforms, Bahrain faces a lag in the practice of progressive laws in labour market as there is widespread social acceptance of traditional *kafala* practices that expect expatriate workers to submit to sponsors’ will. A study cited an advertisement in Bahrain media about “winning a domestic worker” through an online competition²⁷ highlighting the social image of an expatriate as a subject or property. Such a mindset creates a disabling social environment where implementation of progressive labour laws remains slack.

²³ BBC, “Bahrain to end Slavery system”, under ‘Middle East’, http://news.bbc.co.uk/2/hi/middle_east/8035972.stm (accessed 22 November, 2021).

²⁴ Maysa Zahra, "Bahrain's Legal Framework of Migration", under ‘Gulf Labour Markets and Migration, 2018’, <https://gulfmigration.org/bahrains-legal-framework-of-migration-2/> (accessed 21 November, 2021).

²⁵ Abdoulaye Diop, Trevor Johnston, and Kien Trung, "Migration Policies across GCC: Challenges in Reforming Kafala" In *Migration to the Gulf: Policies in Sending and Receiving Countries*, Cambridge: Migration Policy Center, 2018.

²⁶ Ray Jureideni, "Wage Protection System and Programs in the GCC", under ‘Migration to Gulf: Policies of Sending and Receiving Countries’, Gulf Research Center, 2018, https://gulfmigration.org/media/pubs/book/grm2017book_chapter/Volume%20-%20Migration%20to%20Gulf%20%20Chapter%202.pdf (accessed 1 December, 2021).

²⁷ Radhika Kanchana, “Is the Kafala Tradition to Blame for the Exploitative Work Conditions in the Arab-Gulf Countries?”, https://www.researchgate.net/publication/324203451_Is_the_Kafala_Tradition_to_Blame_for_the_Exploitative_Work_Conditions_in_the_Arab-Gulf_Countries (accessed 9 November, 2021).

Moreover, Bahraini society earmarks highest social status to locals, followed by other Arab citizens and Westerners. On the other hand, South Asian expatriate workers in low skilled jobs are at the lowest rung of the social ladder. Spatial segregation further sharpens social divisions. Quite naturally, rights and wages are also linked to the underlying social status.²⁸

Section II

Exploitation of Pakistani Labour Force

2.1 Pakistani Community in Bahrain

Major migration from Pakistan to Bahrain started from 1970s owing to oil-led prosperity and demand for human resources. Since 1971, 190,611 Pakistanis have reached Bahrain on work visas – mostly in the blue-collar category. During the last decade, average annual workers flow to Bahrain from Pakistan remained around 8511. The number of workers emigrating to Bahrain in last ten years is as following;²⁹

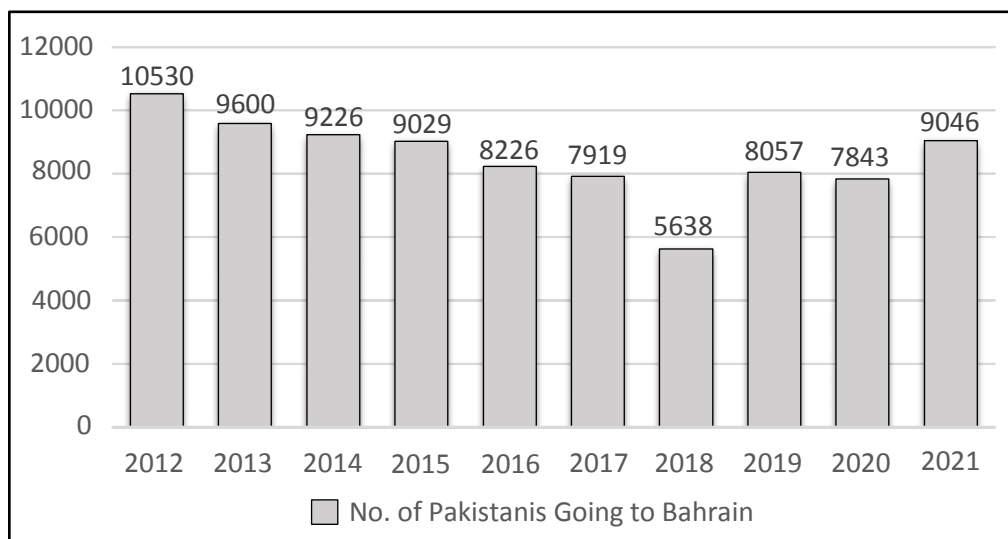
Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
No. of Pakistanis emigrating to Bahrain	10530	9600	9226	9029	8226	7919	5638	8057	7843	9046

The Work Permit regime of Bahrain segregates professionals from workers through the category of permit issued. The Executive and Managerial category of visas in which sponsors are institutions shields high-skilled expatriates from exploitation. However, the majority of Pakistanis in blue collar jobs have worker visas that tie them to contractors, individuals and small scale companies. According to the Bureau of Emigration and Overseas Employment (BEOE), more than 90 percent Pakistanis going abroad during 2020 and 2021 were blue collar workers comprising of skilled, semi-skilled and unskilled occupations.³⁰

²⁸ Pranav Naithni, and A.N. Jha, "Challenges faced by expatriate workers in GCC countries", under, 'Research', *Munich Personal RePEc Archive MPRA*, 2009.

²⁹ BEOE, "Reports and Statistics", under 'Country-wise Emigration', <https://beoe.gov.pk/files/statistics/2021/country.pdf> (accessed 17 November, 2021).

³⁰ Bureau of Emigration and Overseas Employment, "Occupation-wise Break-up", <https://beoe.gov.pk/files/statistics/2021/occupation.pdf> (accessed 2 December, 2021).



2.2 Prevalent Labour Exploitation

The most frequently received complaints at Embassy of Pakistan in Bahrain with regards to labour exploitation are delays or withholding of wages, confiscation of passports, deceptive service contract issues, and independent ‘free visa’ holding illegal workers.³¹ The ILO clearly defines all above issues as “Indicators of labour exploitation.”³² In another instance, the ILO’s Special Action Program to Combat Forced Labour defines the above as Forced Labour indicators.³³ Each indicator is discussed separately below:

2.2.1 Withholding Wages

The problem of unpaid wages is the most recurring workers’ grievance in Bahrain, even though nonpayment of wages is both a criminal and a civil offence.³⁴ Bahrain witnessed a number of protests by workers against non-payment of salaries, including by a number of Pakistanis. Protests of workers of Bahrain Motor Company, Mirador Hotel, Ramses Trading, GP Zachariades ran into hundreds, with a few blocking major

³¹ Muhammad Ayub, Ambassador of Pakistan to Bahrain, interview by author, 20 November, 2021.

³² ILO, “Details of indicators on labour exploitation”, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105035.pdf.

³³ ILO, “Special Action Program to Combat Forced Labour”, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf (accessed 18 November, 2021).

³⁴ ILO White Paper, “Exploratory Study of good policies in protection of Construction Workers in the Middle East”, under ‘Late Payment of Wages’, https://www.ilo.org/wcmsp5/groups/public/---arabstates/---robeirut/documents/publication/wcms_618158.pdf (accessed 1 December, 2021).

highways.³⁵ The delay in payment of wages in Bahrain increased with lower oil prices and the economic slump of 2018 and 2019.³⁶ The delayed wages issue worsened after onslaught of the Covid-19 pandemic that brought economic activity to a grinding halt. Despite Government of Bahrain's assurance towards paying 50 percent of salaries to workers of private companies,³⁷ the companies kept their employees unpaid for months and subsequently massive lay-offs took place. The workers were unable to get their withheld salaries and end of service benefits, as the companies found it more expedient and cost-effective to recruit new workers after the pandemic subsided. The Pakistan Embassy registered 2743 cases related to wage delay in years 2020 and 2021.³⁸

2.2.2 Confiscation of Passports

Passports of expatriate workers routinely remain with their sponsors. This is on the pretext of safe-keeping and completion of residency procedures. The practice is rampant, despite being a criminal and civil offence. This ensures that expatriates cannot change jobs or leave the country without informing the sponsor. Non-possession of passports precludes a worker from accessing basic facilities like opening bank accounts, applying for driving licences, private health care, and even procuring a mobile phone SIM card. Pakistan Embassy received 271 complaints of passport confiscation in 2021³⁹ despite the practice being under-reported.

2.2.3 Deceptive Service Contract Issues

Bahrain does not have a minimum-wage law. Therefore, the settlement of wages and work hours is unfairly bargained between permanent sponsors and temporary workers. Absence of such a law creates an enabling ground for exploitation of workers. Moreover, Pakistani overseas employment promoters (OEP) – private companies which mediate the employment contracts – abet the practice by routinely deceiving aspiring emigrants with promises of high salaries. Service contracts are either not shown to the emigrants prior to departure, or worse a dummy contract is provided to them listing fake terms. Once the worker reaches Bahrain, his salary, terms and working hours are different from what had earlier been promised at home, leaving the workers – who have spent their scant family resources to pay off the agents – with no choice but to accept the tough new terms as the labour law does not permit them to change the sponsor or approach any official agency. The Pakistan Embassy received 123 cases regarding issues arising due to deceptive service contract issues.

³⁵ Migrant Rights Bahrain, "Non-payment of wages: An issue on the rise for low-income migrant workers in Bahrain", under 'Migrant-Rights.org Report October 13, 2019', <https://www.migrant-rights.org/2019/10/nonpayment-of-wages-an-issue-on-the-rise-for-low-income-migrant-workers-in-bahrain/> (accessed 15 November, 2021).

³⁶ Ibid.

³⁷ Reuters, "Bahrain to Pay 50 percent of the wages to private firms hit by Corona virus", under 'Emerging Markets Dubai, June 29, 2020, <https://www.reuters.com/article/us-health-coronavirus-bahrain-economy-idUSKBN2401M0> (accessed 21 November, 2021).

³⁸ Tahira Saleem, Community Welfare Attache Bahrain, interview by author, November 18, 2021.

³⁹ Ibid.

2.2.4 Irregular Emigration/Informal Visa Issues

The system of sponsorship is frequently abused by sponsors who sell work permits in the international recruitment market. Such an irregular/open work permit is popularly called *azad* or independent visa. An expatriate emigrates on such an open permit after paying hefty sums to employment agents and sponsors. As the law does not recognize such a visa status, when the worker reaches the destination such visas are canceled turning the worker's stay illegal. Resultantly, the worker incurs fines and remains unable to access legal, medical, social or economic support from any agency. These workers are specifically vulnerable to exploitation in the informal labour market, as they remain on the fringes and shadows for fear of penalties. It is estimated that there are 5000 illegal Pakistani workers in Bahrain.⁴⁰

Visa-trading in the Gulf market is a multi-million-dollar industry. Despite being an illegal practice, there has not been any known prosecution of a local Bahraini national for visa trading.⁴¹ Nevertheless, this practice is not possible without the connivance of employment agents in Pakistan who entice desperate workers in Pakistan with a promise of emigration without disclosing consequences of such visas. An *azad* visa for Bahrain sells at an average price of 2200 dollars in Pakistan.⁴²

2.3 Role of Pakistan Embassy

Pakistan Embassy at Bahrain is a thinly staffed mission, with an ambassador and two officers, along with 25 staff members. It plays a vital role in assisting victims of labour exploitation.

2.3.1 Labour Support Mechanism

The office of Community Welfare Attaché (CWA) in Bahrain was created under section 7 of the Emigration Ordinance, 1979 in 1995⁴³ for the purpose of safeguarding interests of emigrants and promoting overseas employment.⁴⁴ The CWA visits labour camps, companies, labour courts, and provides necessary assistance to workers; moreover, their grievances are registered and appropriate interventions are made. A 24-hour helpline is in place. The CWA also works in close coordination with the BEOE Pakistan for regulation of emigration practices. The Community Welfare wing verifies grievances related to labour exploitation and engages with sponsors directly. In case of non-responsiveness of sponsor, cases are referred to host government agencies.⁴⁵

⁴⁰ Muhammad Ayub, Ambassador of Pakistan to Bahrain, interview by author, 20 November, 2021.

⁴¹ Migrants Forum in Asia, "Policy Brief No. 2: Reform of Sponsorship System", International Labour Organization. <https://www.ilo.org/dyn/migpractice/docs/132/PB2.pdf> (accessed 20 November, 2021).

⁴² Zain ul Abidein, Al-Yaj Gulf OEP, Interview by Author, Lahore, 26 October, 2021.

⁴³ BEOE, "Emigration Ordinance, 1979", <https://beoe.gov.pk/files/legal-framework/ordinance.pdf> (accessed 5 December, 2021).

⁴⁴ BEOE, "Emigration Rules, 1979", under 'Rule 5', <https://beoe.gov.pk/files/legal-framework/rules.pdf> (accessed 12 December, 2021).

⁴⁵ Tahira Saleem, Community Welfare Attache Bahrain, interview by author, November 18, 2021.

2.3.2 Interventions Made by the Embassy in Labour Exploitation

During the recent crisis period 34 cases of wage delay were resolved through direct negotiations with the sponsors. Cases involving groups of workers were jointly handled by CWA and Ministry of Labour. In 10 such cases only three were resolved and seven remained undecided till date. For want of funds, the aggrieved in such cases were repatriated on their own request at the embassy's expense from Pakistan Community Welfare Fund (PCWF). Only three of them chose to file their case in the labour court through private attorneys. The embassy does not have any lawyer on its panel nor can it pay legal fees through the PCWF under existing financial rules.⁴⁶

In passport recovery cases, out of 271 cases registered, 102 were recovered through direct negotiations with sponsors, 90 were issued new passports and 79 were referred to the local police. Issuance of new passports in such cases remains a convenient intervention, however, this comes with risks of abuse and involves initiation of the visa process anew.⁴⁷

In service contract grievances, the embassy is constrained to only follow whatever is provided in the contract and does not have any legal option to overcome deceit or duality of contracts (between the fake ones provided at home and the actual provided upon arrival). Emigration Rules 1979 define the registration of agreements with the Protectorate of Emigrants as a mandatory requirement before a worker departs Pakistan⁴⁸ and sharing copies with the embassy. However, this is not practiced in general.

With respect to the illegal visa trade, there is no verifiable data on the number of emigrants proceeding on *azad* visas as they are apparently similar to regular work permits but with a different – and often concealed – underlying bargain. The embassy received 183 cases of illegal stay from the Ministry of Interior in 2021. These Pakistanis had been detained in the Deportation Jail and were assisted in issuance of passports/ emergency travelling documents and their subsequent travel.

Section III

Analysis

An analysis of above sections reveals a direct correlation of the sponsorship system with the resultant labour exploitation. However, this is not the only cause contributing to exploitation, as a number of other factors have also been found. As highlighted earlier, Bahrain has been consistently reforming its overall labour regime since 2009. However, in spite of reforms, major indicators of labour exploitation such as delay in

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Emigration Rules, 1979.

payment of wages, low salaries, confiscation of identity documents, and deceptive recruitment practices are still present. This is a result of a complex interplay of various elements: some relating to the Bahraini side and others to the Pakistan side.

3.1 Bahrain Related Causes

In terms of legal provisions for expatriate workers in the labour regime, the status of Bahrain compared with regional Arab countries is shown in Figure 3.1 below:

Figure 3.1: Comparative Matrix of Labour Provisions

	Join unions	Change job or quit without permission	Leave country without permission	Minimum wage	Domestic workers included under labor law	Standard contract for all workers
Bahrain	Yes	After 1 year	Yes	No	In some cases	No
Jordan	Yes	After 1 year	Yes	Yes	Yes	Yes
Kuwait	Yes	After 1 year	Yes	Yes	No	No
Lebanon	Yes	No	Yes	Yes	No	No
Oman	Yes	No	Yes	No	No	No
Qatar	In some cases	Yes	In most cases	Yes	No	No
Saudi Arabia	No	In some cases	No	No	No	No

Thus Bahrain turns out to be a relatively reformed labour market, with many permissions legally available to expatriate workers. However, non-availability of certain provisions⁴⁹ directly contributes to labour exploitation.

As noted earlier, till date, Bahrain does not have a minimum wage law. The absence of a minimum standard remains a major reason for under payment and exploitation. Similarly, Bahrain has not rolled out a Wage Protection System that makes payment of salaries to the employees through their bank accounts mandatory. Blue collar workers who are paid in cash are most vulnerable to wage related exploitation as there is no record to make sponsors accountable.

On the other hand, centuries of *kafala* practice in Bahrain has engendered a social mindset of local superiority over foreign workers. Despite a number of progressive laws, this mindset remains an impediment in bringing expatriate workers at par with locals. Moreover, residential areas of Bahrainis are far segregated from expatriate labour camps precluding social intermingling of the two classes. This social gap symbolizes exclusiveness of the elite local class and internalizes inferiority in migrants.

⁴⁹ Kali Robinson, "What is Kafala System?"; Council on Foreign Relations, <https://www.cfr.org/background/what-kafala-system> (accessed 17 November, 2021).

The feeling of social ostracization is further strengthened as sponsors face limited accountability. While fulfillment of residency procedures is the responsibility of sponsor, in case of nonfulfillment it is the employees who face heavier penalties. If a sponsor falters in renewing the work permit, it is the employee who becomes illegal. Even if a sponsor is approached by the police in cases of passport confiscation, the sponsor has an easy way out feigning ignorance as there is no receipt of the original deposit.

While the law explicitly prohibits passport confiscation, wage delays, excessive work hours, visa trade and irregular recruitment, such practices are rife in actual practice. The prosecution of local sponsors on these issues has been seldom witnessed, if at all. This underscores the ground reality that the government and the society tacitly acquiesce to the chasm between the legal and the real, the *de jure* and the *de facto*.

Adding to the unevenness of the playing field, complaint filing and dispute resolution mechanisms are cumbersome in terms of accessibility, cost and procedural issues. Sponsors have great leverage of familiarity with settings, local connections, money and time. Contract-based blue-collar workers are devoid of any advantage. This imbalance further promotes labour exploitation.

The LMRA was established in Bahrain with a view to act as an interface between sponsors and expatriate employees. However, it remains restricted to a procedural conduit rather than an enforcer. The enforcement in terms of expatriate affairs remains with the Ministry of Interior which is under a minister from the ruling Al-Khalifa family, and thus holds great sway. The enforcing arms – police and NPRA⁵⁰ – do not act under directives of LMRA or Labour Ministry that are issued in wage or employment disputes. Thus, the quest for obtaining justice in labour exploitation cases is complex and uphill.

In the meanwhile, the trade in “Free Visas” continues despite being a major reason for presence of illegal migrants in Bahrain.⁵¹ Such workers are employed at lower than market wages and on a transactional basis, thus providing a cheap alternative to regular workers. The economy benefits from cheap labour and the practice is condoned. Illegal Pakistanis are specifically vulnerable to Labour exploitation.

Lastly, public opinion is also a major reform impediment. Any immigration reform is a highly sensitive political issue and prejudices against expatriates are connected with the inherent economic insecurity of the locals, engendering a need for *kafala* as tool for both control and rent-seeking.⁵²

⁵⁰ Nationality, Passports and Residency Affairs, <https://www.npra.gov.bh/en/>

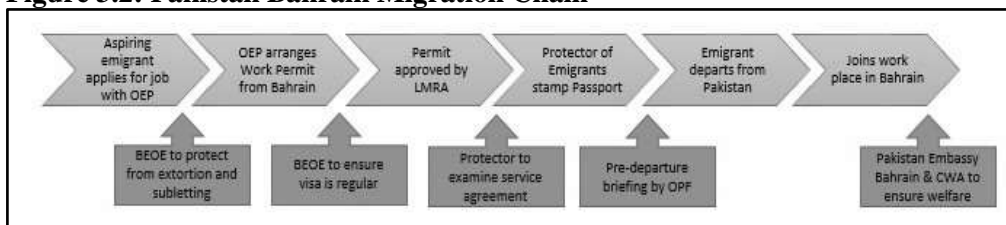
⁵¹ Hassan Alahsan, “Irregular Migration in Bahrain: Legislation, Policies and Practice”, Gulf Research Center 2017.

⁵² Abdoulaye Diop, Trevor Johnston, and Kien Trung, Migration Policies across GCC Challenges in Reforming Kafala, “Migration Policies across GCC: Challenges in Reforming Kafala”, *Migration to the Gulf: Policies in Sending and Receiving Countries*, Cambridge: Migration Policy Center, 2018.

3.2 Pakistan Related Causes

The Emigration Ordinance and Emigration Rules, 1979 have laid strong institutions and procedures to check labour exploitations. Under Sections 3, 5 and 7 of the Ordinance⁵³, BEOE, Protectorate of Emigrants and CWA have been created to regulate the complete origin to destination migration chain by checking irregular migrations, penalizing extortion by employment agents, providing pre-departure awareness of laws and rights, and assisting emigrants in destination country. The migration chain and role of each agency at every step is as follows;

Figure 3.2: Pakistan Bahrain Migration Chain



However, as already noted, gaps exist throughout the migration chain which directly contribute in labour exploitation. To begin with, the BEOE does not provide methodical pre-departure awareness and lacks resources to check subletting or over charging in recruitment. The protectorate offices stamp passports without ensuring the contract provisions due to disconnect with the Bahraini legal framework. The Community Welfare Attache at the Pakistan Embassy Bahrain is unable to provide direct legal assistance or legal fees to the victims of labour exploitation in Bahrain.

Emigration Rule 21 and 21-A make agreement registration mandatory, Rule 27 provides a consultation framework with the embassy in host country in case of agreement violation, and Rules 28-30 provide the complaint resolution mechanism. However, these rules have not been amended to preclude malpractice innovations. Moreover, the rules are same for all countries despite peculiarities in destination markets.

On the other hand, there has been no general awareness campaign in the major labour exporting areas of Pakistan about migration intricacies, procedures, legality and rights. Consequently, uninformed and uneducated blue-collar workers become easy targets of predatory employment agents in Pakistan and remains vulnerable to labour exploitation in Bahrain. With no legal counsel on the embassy's payroll, and preclusion of payment of legal fees of privately hired lawyers under rules, legal assistance in labour courts cannot be provided.

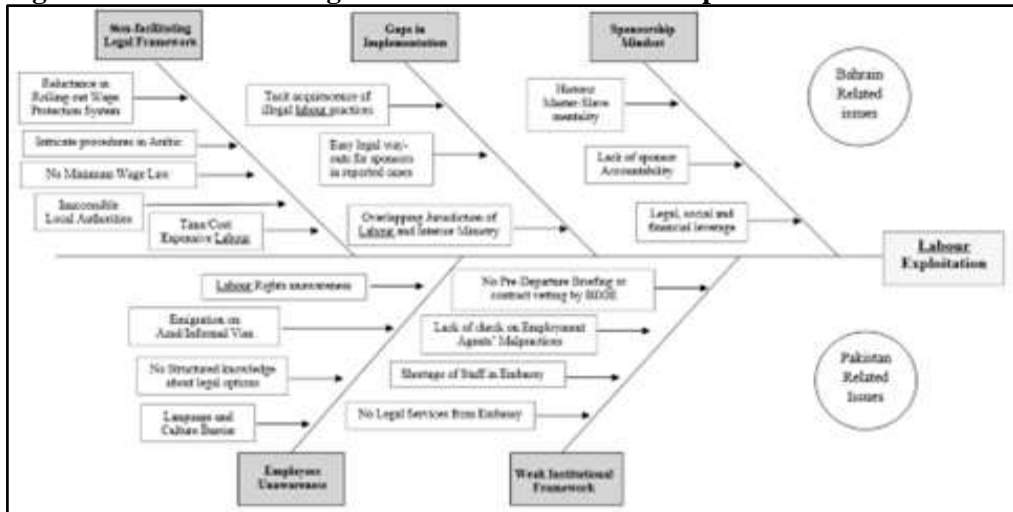
⁵³ Ibid.

Although existing institutional framework holistically covers the areas where labour exploitation takes place, however, due to resource constraints, systematic weaknesses, generic outdated rules, general unawareness and complacency of related offices, effective implementation remains lacking.

3.3 Fish Bone Diagram

The following ‘Fish-Bone diagram’ summarizes the whole analysis.

Figure 3.3: Fish Bone Diagram on Causes of Labour Exploitation



Conclusion

The analysis of the available secondary data and interviews of primary sources reveals that all four indicators of labour exploitation are being faced by Pakistani blue-collar workers in Bahrain. Despite many reforms, the labour regime of Bahrain is still based on the sponsorship system that substantially contributes to labour exploitation. However, this is not the only factor.

While wage related exploitation can be attributed to absence of minimum wage laws and Bahraini reluctance to roll out the Wage Protection System, many practices termed illegal by the sponsorship system itself are rampant and are tacitly acquiesced. Similarly, illegal visa trading and deception in service contract are also faced by Pakistanis despite being illegal in sponsorship system. The social mindset of superiority exhibited by Bahrain sponsors, historic *kafala* (mal)practices, expatriate-local social segregation and lack of Bahraini sponsors' accountability allow exploitative practices that are barred by law.

Partial contribution to the absence of facilitation to workers facing exploitation also lies with Pakistan's emigration framework, including aspects relating to the Pakistan Embassy in Bahrain. Lack of resources, absence of a legal counsel with the embassy, lack of awareness campaigns, complacency in service contract examination, outdated emigration legislation, and absence of integration preclude an otherwise effective government framework to carefully check illegal employment practices and educate emigrants.

The Government of Pakistan needs to implement a fundamental role revision to uplift the institutional framework in BEOE, Protectorate of Emigrants offices, and Pakistani missions by revising laws and policies according to modern needs and examining issues of labour exploitation bilaterally with Bahrain. There also needs to be constant vigilance in implementation.

Recommendations

(i) Amendment in Emigration Rules

Under an amendment to the Emigration Rules, 1979 country specific sub-rules should be added for destination countries including Bahrain, directly responding to each particular labour market and the exploitative malpractices prevalent therein, in consultation with CWAs.

(ii) National Emigration Policy

A revised National Emigration Policy should define indicators of labour exploitation, assign exact roles at each step of the migration supply chain, make labour exploitation related functions as performance indicators for line offices and put accountability mechanisms in place.

(iii) A MoU on Joint Effort against Labour Exploitation

Building on excellent bilateral relations with Bahrain, a draft MoU should be floated through the Ministry of Foreign Affairs to create an exploitation free migration corridor through bilateral efforts.

(iv) Bahrain-Pakistan Joint Working Group

Pakistan and Bahrain already have an agreement on labour cooperation since 2014. A Joint Working Group under this agreement may be recommended to identify exploitative practices and recommend mutually agreed remedial actions.

(v) Integration of Emigration related Institutions

A web-portal may be established to link Pakistan missions abroad, CWAs, BEOE, Protectorates, OEP's and the Ministry of OP & HRD for real time flow of information on the labour market malpractices and configuring a holistic response. A complaint redress system – similar to the one developed for Hajj Operations – that escalates complaints upwards after timed intervals be put in place.

(vi) Service Contract Regulation

The protectorate offices all over Pakistan should only stamp passports if the contract is verified by CWA Bahrain. The portal can be used to upload the contract, connect with CWA who in turn will verify it in consultation with the Bahraini sponsor. In this way, *azad* visa trade, and contract deceptions can be ruled out.

(vii) Upgrading CWA Office Bahrain

One additional CWA and ample staff should be posted, given that 120,000 Pakistanis reside in Bahrain.

(viii) Appointment of a Legal Consultant at Embassy

A legal firm or lawyer should be hired by the embassy to defend victims of labour exploitation in court through the PCW fund.

(ix) Dialogue with Private Employment Promoters

OEPs should be engaged to ensure stoppage of subletting recruitment, extortion of money and illegal visa trade. It is in the interest of both the government and OEPs to identify the rogue elements to maintain safe emigration market competition.

(x) Labour Awareness Campaigns

A wide scale national level awareness campaign should be launched and maintained through regional protectorate offices to inform aspiring migrants about the illegal practices, indicators of exploitation and their labour rights.

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Pakistani Visa Over-Stayers in Jeddah: Managing a Deportation Case

Imran Ahmed Siddiqui¹

Introduction

The Deputy Permanent Representative (DPR) of Pakistan to the Organization of the Islamic Cooperation (OIC), Jeddah was about to leave his office for the day when he received a message from his boss, the Consul General (CG) of Pakistan in Jeddah, who wanted to discuss some important organizational matters with him. The subject of the meeting came as a surprise as the DPR's mandate was restricted to Pakistan's representation at the OIC. It had no direct relationship with the Consulate General of Pakistan, Jeddah (CGP/J) and its organizational matters. Nevertheless, he went to meet the CG who after expressing concerns over the problems being encountered in the Consulate General's community welfare operations asked the DPR to engage with the Community Welfare Section (CWS) to help address difficult cases as quite obviously the Community Welfare Attaches (CWAs) were overburdened. As the CG explained, "Sometimes, the applicants have to suffer merely due to lack of proper attention."

The DPR had assumed his position in Jeddah almost a year ago. Having spent most of his career dealing with political issues in international organizations, he had rudimentary experience of either community welfare activities or administrative work at Pakistan missions abroad.

Nevertheless, he knew that for the CG his lack of experience in the matter was not likely to be a credible reason for declining to accept the task, as consular and welfare work also constituted an integral part of a diplomat's official duties. As expected, the CG directed him to start his engagement with the welfare section immediately. This included going through existing briefs and meeting relevant Saudi officials.

The events of that day marked the beginning of a three-year period during which DPR remained closely engaged with the mission's CWS. From now onwards, he oversaw welfare operations, liaised with the Saudi Ministry of Foreign Affairs and resolved cases that would usually go unattended by the overburdened CWAs. While simpler cases – which far outnumbered the complicated cases – could be resolved expeditiously, progress on the difficult ones was either not guaranteed or painstakingly slow.

The DPR's experience at the welfare section introduced him to widely varying approaches to public service delivery, characterized at times by compassion and

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empathy, and at others, by sheer apathy and negligence. Soon, it transpired, that while Pakistani political and bureaucratic elites in federal and provincial capitals were interested in the remittances sent home by Pakistani workers abroad, their focus on actual welfare of the diaspora was rather limited – or perhaps limited to political grandstanding.

Statement of Intent

This case study examines existing legal and administrative frameworks that are in place for addressing the problems faced by the Pakistani expatriate community in Saudi Arabia, where foreign workers are often denied not just rights equal to other more fortunate nationalities but even their due rights under existing Saudi laws. The case seeks to deepen the understanding about issues relating to Pakistani visa over-stayers who remain in the country after performing Umrah, the lesser pilgrimage to Makkah. In fact, many of them take advantage of the gaps in Umrah operations and arrive in Saudi Arabia on pilgrimage visas to avoid cumbersome employment procedures. The study also covers the challenges in providing relief to Pakistani illegal workers and Umrah over-stayers.

Research Question

The case study will explore the following key questions.

- (i) Why Pakistani consular missions sometimes fail to provide relief to Pakistani immigrants abroad?
- (ii) How can these missions be empowered to perform their duties adequately?

Background

For the DPR, consular and welfare affairs were mostly an unexplored territory. During the course of this case, he was to extensively study issues being faced by the Pakistani expatriate community as well as various dimensions of consular and welfare operations.

Saudi Arabia and Pakistani Expat Community

Saudi Arabia is the largest source of remittances sent by Pakistan diaspora. Pakistani workers in Saudi Arabia sent 26.1² percent (or approximately USD 7.6 billion) of the total remittances of the country in 2021 alone. The majority of these came from workers belonging to the semi-skilled category. An unknown but substantial number of them reached the country as pilgrims. Indeed, most of the remittances from the Middle East

² State Bank of Pakistan.

come from low- and middle-income groups. On the other hand, the higher income groups prefer to explore investment and immigration opportunities in Western countries. However, in terms of political voice and connections with Pakistan's powerful business and political elite, the high-income group in the expat community maintains a stronger influence in Pakistan.

As the Pakistani expatriate community is always reluctant to register itself with their representative missions (for various reasons), it is difficult for Pakistani diplomatic and consular missions to maintain a record of the exact number of Pakistanis abroad. This situation was particularly complicated in Saudi Arabia because not all Pakistani workers entered the country as legal foreign workers. Many arrived in the Kingdom as Hajj or Umrah pilgrims and did not return after performing their religious rites. These over-stayers avoided the consular offices and, for their part, the consular offices officially feigned ignorance about their existence.

Many among the over-stayers were actually facilitated by criminal gangs who arranged for their legitimate religious travel to Saudi Arabia with the ulterior motive of turning them into temporary workers. After completing their lesser Umrah pilgrimage (that just takes a few hours), they were helped in temporary settlement in the country and assisted with odd jobs for a commission fee or on a wage sharing basis. In all these cases, the workers were at the mercy of their handlers. Some of them were also facilitated into undesirable activities, including begging and prostitution, which not only tarnished the image of Pakistan but also exposed the vulnerable and largely under-privileged Pakistanis to exploitation and extortion. While overstaying workers came not only from Pakistan but also from several other countries, it were mostly Pakistanis and Yemenis who were the most prominent amongst the foreigners begging in the streets of Makkah, Madinah and Jeddah.

After every few years, the number of these overstaying workers from Pakistan and elsewhere swelled to an uncontrollable limit. At such junctures, the Saudi Government announced a general amnesty allowing them to come out of shadows, apply for legal jobs or leave for their respective countries after getting necessary legal approvals.

Pakistan Consulate in Jeddah

The Consulate General (CGP/J) had been reporting about the activities of these over-stayers and their handlers to the relevant authorities in Pakistan. However, due to various weaknesses in the legal and administrative structures of the country, the activities of these gangs never came to a complete standstill.

In spite of being the largest consular office of the country anywhere in the world, the CGP/J was housed in two dilapidated villas – the local term for a residential building. These premises were catering to the consular and welfare needs of an estimated one million strong Pakistani community scattered across Makkah, Madina, Abha, Al-baha,

Jizan, Asir and Najran regions, besides taking care of hundreds of thousands of pilgrims visiting during Umrah and Hajj seasons every year.³ Clearly, these two villas neither constituted a befitting accommodation for Pakistan's representative office nor a comfortable facility for applicants of consular or welfare services.

The Saudi Government had reciprocally allotted a large plot to the Government of Pakistan to construct a purpose-built consular facility with adequate facilities. However, no proper building had been constructed on the site. Even today, the community which contributes the largest remittance inflows to Pakistan does not have a reasonable place to visit in times of consular need or any other difficulty. Repeated recommendations by successive CGs for early construction of the consulate building have gone unheeded and, as a result, the CGP/J is extremely over-crowded, and barely meets the ever-persistent demands of a large community.

Consular and Welfare Services

The large consular missions of Pakistan (Consulates General) are headed by a Consul General, whose diplomatic status is governed by Vienna Convention on Consular Relations (1963). Their immunities and privileges have a limited and qualified application but their job is more difficult than the Pakistan embassies and High Commissions in the same countries, particularly where large Pakistani communities exist. Important wings of the consulates are their consular and community welfare sections. These sections are staffed by consular officers sent either by the Ministry of Foreign Affairs or the Ministry of Interior. The officers entrusted with community welfare (CWAs) belong to a number of ministries but are supervised by the Ministry of Overseas Pakistanis. Owing to their multifarious backgrounds – and occasionally good official connections – it is generally felt that not all CWAs are adequately trained to do their jobs or take the required interest in addressing the needs of the community.

Upon being entrusted with his new assignment, the DPR met the officers and staff providing and generally being responsible for the following consular and welfare services:

- (i) Machine-Readable Passports (MRPs);
- (ii) Emergency travel documents;
- (iii) Visa Services;
- (iv) Attestation of documents;
- (v) Police clearance certification from Pakistan;
- (vi) Facilitation in payments of pension to retired overseas Pakistanis;
- (vii) Renunciation of Pakistani citizenship;

³ In 2019, the last year before the outbreak of the Covid pandemic, Pakistani Hajj pilgrims numbered close to 200,000, the second highest in the world as the quota for issue of visas is determined by the official Muslim population of a country; the official figures for the lesser Umrah pilgrimage performers was 1.75 million (information has been collated from a number of sources including aviation services and Saudi authorities).

- (viii) Repatriation/deportation of stranded/illegal Pakistanis;
- (ix) Welfare and consular services to Pakistanis in foreign prisons;
- (x) Specific welfare services including arrangement for completion of documentation and arranging transportation of dead bodies and healthcare to Pakistanis

During his interactions with them, the consular and welfare officers complained of lack of space within the consulate premises for conducting their activities with ease. They also recommended hiring of Arabic knowing staff with deeper understanding of the Saudi system in their respective sections in order to provide satisfactory services to the applicants.

Lastly, the DPR invited Pakistani doctors practicing in Jeddah who were regularly organizing medical camps in the consulate for detailed discussions on their operations. These medical camps were organized by the CGP/J on a weekly basis for those patients who otherwise could not get any healthcare due to either lack of funds or their lack of access to government hospitals on account of their illegal status.

He was informed that although the Saudi government hospitals were not barred from offering emergency medical assistance to foreign patients, illegal workers found it extremely difficult to access the hospitals due to restrictions imposed by the Saudi authorities. Consequently, many illegal workers suffered silently or were forced to seek help from rudimentary dispensaries set up by their respective missions with support from affluent community members or expatriate associations. In case of their deaths, either the community members or their respective missions helped in arranging their funerals in graveyards reserved for foreigners. The medical camps organized by the Consulate General were, therefore, a great support to low-income as well as illegal workers.

Kafala System

It was important for the DPR to adequately understand the Saudi labour system as the large expatriate population in Saudi Arabia was controlled through *Kafala* (sponsorship) labour System. This system tied foreign workers to their employers making them vulnerable to abuse, arbitrary arrest, detention and deportation.

Under local rules, illegal immigrants are divided into different categories such as those who run away from their sponsors (“*haroob*”), Umrah or Hajj over-stayers who work illegally after expiry of their visas or those who go under cover after violating local laws. These workers are usually denied basic rights, including the right to healthcare. They face problems in returning home unless allowed to exit by Saudi authorities. Resultantly, they remain underground to avoid detention by local law enforcement agencies. Often, they are compelled to bribe local officials just to continue their shadowy stay in the country.

All illegal Pakistani workers who managed to evade arrest and detention in the *tarheel* or deportation centers – that were essentially overcrowded prisons – finally ended up at that derelict and poorly equipped building called the Consulate General of Pakistan, Jeddah. These illegal Pakistanis included all those who wanted to be deported, jobless workers who sought employment, and also pilgrims who had overstayed and were later pushed into beggary or prostitution.

In case of imprisoned nationals, all foreign missions are required to provide consular services to them at these prisons. The consular and welfare officers of the CGP/J are mostly busy in providing general relief to these prisoners. It is not possible for them to devote extraordinary time and energy on isolated complicated and challenging cases.

Ameera – An Illegal Pakistani

On one of the late evenings in the winter of 2010, the DPR met his first challenge. He was about to leave the Secretariat of the OIC where its annual budget was being discussed. For several contentious issues, the meeting had turned long and exhausting. After the meeting, the DPR wanted to return home as quickly as possible. His cell phone rang just as he stepped into his car. On the other side was a panicked Consulate General staff member who informed him that he had discovered a woman hiding under the benches of the visitors' hall. The woman was appallingly sick but still conscious. Desperation can make humans do many strange things and the Consulate General received several desperate individuals almost every day. But hiding in the building after office hours was something not very common.

The official sought instructions on how to deal with the woman, who seemed visibly sick, exhausted and scared. Quite by instinct, the DPR decided to immediately go to the Consulate General to look into the matter himself. He informed his boss over the phone about the emergency and drove straight to the CGP/J. By that time, it was already 9 p.m.

As soon as the DPR reached the Consulate General, he was taken to the Consular Hall where he met a frail woman in her late thirties clad in a black *abaya*. By now, she had been persuaded to come out of the hiding place and sit on a chair. She appeared fatigued and insisted on meeting the *bara afsar* (the “big officer”).

Upon inquiry, she said that her name was Ameera and that she was from South Punjab city of Khanewal. Her voice was weary and drained and betrayed a lack of trust in people that she had been conversing with.

The DPR immediately contacted the welfare officer to inquire whether he had any information about Ameera or any of her acquaintances in Jeddah who could offer help in this case. The welfare officer was, as usual, busy at a deportation center making lists of illegal Pakistani workers who had to be deported in the next two weeks. Deportation

formalities were many and complicated; hence, the welfare officer was likely to remain busy with them for the next several days. As such, the DPR had to assume responsibility for the case. He began preparing a check list of actions needed for Ameera's deportation.

Deportation Procedures

Deportation procedures in the Kingdom are usually cumbersome. Under these rules, self-employed expatriates, *huroob* individuals (absconding/employees running away from their sponsors), and visa over-stayers can be deported from the Kingdom. For this purpose, the deportees should have a valid passport and no criminal record or issues with their *kafeel* (employer/sponsor. In case the expatriate is wanted for an offence, he/she would be arrested and tried in the relevant Saudi court which also decides punishment. After the punishment, the individual is deported and blacklisted for any visa category in the future. The individual is supposed to stay at the *tarheel* (deportation cell) while the concerned consulate prepares travel documents.

Initial Difficulties

Before addressing deportation issues, the DPR had to take care of Ameera's immediate needs. Mindful of the consulate's limited resources, he asked Ameera whether she had any contact in Jeddah who could offer her shelter for a few nights. Ameera replied in the negative and informed that she came to Saudi Arabia as a pilgrim. After overstaying, she had spent last several months in the streets around Haram in Makkah. She deliberately concealed details about her *mahrum* or legal male guardian with whom she had travelled.⁴

In view of her poor health condition, the DPR sought assistance of a Pakistani doctor from the local Pakistani community for Ameera's preliminary medical checkup. The doctor gave her medicines and recommended a detailed check-up.

Ameera was refusing to leave the Consulate until her departure from Jeddah. Given her condition, she could not be left unattended. At the same time, she was not volunteering crucial details of her case, particularly how did she had survived in the Kingdom for so long.

The DPR needed some time to build necessary trust with her in order to get the details of her case. Ameera was, therefore, offered a make-shift shelter within the Consulate General premises.

⁴ In order to forestall single women from staying back in Saudi Arabia (other than rare exceptions like doctors or nurses) the issue of a Saudi visa requires a male companion – either the husband or a close blood relation like a brother or a nephew. This is done primarily with a view to curb prostitution. However, unfortunately, there is official corruption and male accompaniers are able to leave the Kingdom leaving behind their female companions.

While Ameera rested, the DPR briefed his boss on her condition. The CG was not quite satisfied with the decision to provide shelter to Ameera within the CGP/J. For him the case was familiar. He had been reporting on the cases of trafficking of women to Saudi Arabia for begging. However, these activities had never stopped permanently. He was also trying to strengthen the welfare section of the mission with new locally recruited staff, but his requests for additional staff were yet to be approved.

The CG directed the DPR to extricate himself from his OIC engagements and attend to this special case as the welfare officers were fully committed with their huge workload. Ameera needed proper medical attention at a hospital. It was difficult for the Consulate to continue sheltering her and either arrange in-house medical support or even her immediate deportation. She needed to be shifted to another accommodation which she was strongly resisting.

The next morning, before he had left home, the DPR was informed by his staff that Ameera had left the Consulate early that morning and despite the staff's best efforts, she could not be traced. Overburdened with other assignments, the staff forgot about Ameera in the next few hours. The DPR too decided to go back to the OIC meeting which was his primary assignment. However, later in the day he was informed that Ameera had returned to the Consulate General. The CG again wanted the DPR to focus on her case. He, therefore, returned to meet the sick and exhausted woman who was withholding crucial details of her case. She was also resisting any suggestion to visit a hospital, fearing that the hospital would be obliged to report on her illegal status and she would be detained. However, she could not be left alone in this state.

Accordingly, the DPR spoke to the Pakistani doctor once again and sought his help in admitting Ameera for a complete medical examination. The doctor who was suspecting something serious in Ameera's health condition suggested a detailed checkup at a government facility as any private hospital would be reluctant to admit Ameera given her illegal status.

All the same, in the government hospital emergency wings, the law enforcement agencies could detain patients, but generally they were not removed without approval of the hospital authorities and the concerned doctor. The doctor committed to arranging something at the government hospital where he worked.

The next morning, after an extremely difficult process that would not have been possible without the help from the Pakistani doctor, Ameera was shifted to the emergency of a government hospital for a detailed medical checkup.

The DPR was now hoping that while Ameera would be receiving the necessary medical attention, he could attend to other formalities for her departure to Pakistan. The very next day the Pakistani doctor called him on phone to inform that given her illegal status Ameera was investigated by the police. During investigation, she admitted to begging

in the streets as well as some other illegal activities, including prostitution. These were both punishable offences.

He further informed that Ameera would be further investigated as the police believed that she must be having the support of a local gang involved in women's trafficking in the guise of Umrah operations. The Saudi authorities were familiar with the business of begging by foreign women in the Kingdom and they usually avoided being too hard on them. But Ameerah had given them clues and cues about involvement of local and foreign traffickers who had facilitated her stay in Makkah. However, given Ameera's condition, the police had allowed the doctor to take care of her and conduct necessary tests.

HIV Infection and Image of Pakistan

On the following day, the doctor informed that Ameera had been diagnosed as suffering from an HIV infection. She had been shifted to an unknown facility for treatment, while local police had begun an investigation into this case as one of trafficking and other illegal activities.

After this development, the CG rightly assessed that the matter could seriously damage Pakistan's image in case the media came to know about it. Moreover, it could also be exploited to Pakistan's detriment by major competitors in Saudi labour market, including India and Bangladesh. Additionally, Pakistan would find less sympathetic interlocutors in Saudi Arabia when it would be negotiating better arrangements for its Umrah/Hajj visitors or better terms for its workers.

These were serious issues. The DPR immediately wrote a detailed report to his supervisors in Islamabad. As usual, no response was received from any relevant ministry. Ameera was too small a fry to be bothered about. The DPR, then, met Jeddah-based Saudi Foreign Ministry officials who gave him a lecture on local rules and how Pakistan nationals were in breach of many of them. Fortunately, he found a way to meet the relevant police official investigating the case. The gentleman indicated the possibility of involvement of other Pakistanis in the case, but assured him of his full cooperation including consular access to Ameera which had already been requested via local office of the Ministry of Foreign Affairs.

Ameera's Story

A few days later, DPR met Ameera and conveyed the Consulate's inability to offer any help in case she was not willing to provide any information. Finally, Ameera broke down and disclosed details of her case. According to her, she had worked at a brick

kiln outside Khanewal, Punjab.⁵ Her family comprised her husband, three children and several members of the extended family, all engaged in manual labour or begging in Khanewal.

Faced with abject poverty, her family members were forced to work in difficult conditions. A few years earlier, a man had contacted her brother-in-law through an acquaintance and offered employment opportunities to the women of the family with benefits that could potentially change their lives. The person had identified himself as an agent of a tour operator. He offered female members of the family a free visit to Saudi Arabia for Umrah, after which, they would be required to live in Saudi Arabia for a few months. They would be engaged in street begging, domestic work, or “any other suitable job.” The compensation would be good and his contacts in Saudi Arabia would organize the women’s return travel.

Ameera’s husband asked, “why women and why not men.” He was informed that women could easily find work and earn more as beggars. Besides, police were normally not too strict in the case of women over-stayers. Ameera’s family was assured of her safety and wellbeing.

Despite Ameera’s apprehensions, her husband expressed interest in the offer. In case she was unable to find work as a maid, she could always resort to begging which was not something unusual for her. Ameera’s husband made her accept the offer. In her absence, he promised to take care of the kids.

Given the compelling circumstances – primarily their hopelessness – Ameera had agreed reluctantly. Along with other “willing candidates” she was trained by the recruiter in Umrah rituals. They were also taught basic Arabic words helpful in begging in Saudi Arabia. Their travel documents were prepared following which they travelled to KSA before the month of Ramadan in 2003.

Once in Saudi Arabia, the situation for Ameera changed for the worse with every passing day. Her handler in Saudi Arabia was a tough man. He would confiscate all the money she used to make, leaving her only with a few riyals. In case she refused, her handler threatened to hand her over to police. Ameera started hiding part of the money she made from her handler. Ameera and other Pakistani women who were engaged in begging in the Harum⁶ area, stayed in KSA until after Hajj for about five months. Such was the situation that initially Ameera believed that she would not survive long enough to be able to return home. However, in the end, it was not as bad as that.

⁵ While labour malpractices abound in Pakistan, brick kilns are particularly notorious in their exploitation of poor households, all members of which – including children as old as three or four - are held as bonded or indentured labourers. This practice has been widely highlighted and even abused by some not so charitable NGOs.

⁶ Literally the *Harum* means an inviolable sanctum – it is used to refer to the area around the two grand mosques in Makkah and Madinah.

Before their return to Pakistan, the handler took the women to the Consulate General of Pakistan to have their emergency passports issued,⁷ after which it was the Consulate's responsibility to obtain their *khurooj* (exit passes) from the *jawazaat* (Saudi Immigration Authorities). Such officially issued exit passes are required by Saudi authorities in order to let the Umrah over-stayers leave the country. Once the exit pass was issued, the handler provided air tickets for Ameera and other women's return to Pakistan. Families of the women beggars in Pakistan were pleased to see the large amount of money that they had made.

The next year, Ameera's husband himself approached the agent and offered her services for the same work in Saudi Arabia. This way, Ameera visited KSA twice in about six years. However, her current visit to the Kingdom was different. This time around, she had an abusive handler who would beat women if he suspected that they were concealing any money. He would also force the women into prostitution, on the commitment that they would be able to return home sooner than before and with larger compensation. His clients were mainly low-income illegal immigrants from Africa. After resisting for a while, Ameera finally yielded. This also brought about a change in the attitude of her new handler who began treating her more gently. After a few weeks, however, Ameera got unwell. Her health deteriorated which made her handler concerned. The handler tried to help her with some medicines, which proved ineffective. After waiting for a few weeks, the handler dropped Ameera at the entrance to the Consulate General in Jeddah, as he could not afford to support a sick woman anymore.

While dropping her at the Consulate General, the handler advised her to stay there until her papers were ready. He assured her that he would ask his "friends" in Pakistan to pressurize the Consulate officials to have her papers issued on priority. For Ameera, the Consulate General was not a new place. She had been visiting it earlier as well for getting emergency passes and complete *khurooj* procedures in the past. This time, however, she was sick and was not able to live in the streets or nearby parks. She, therefore, hid under the benches where the Consulate staff had discovered her and arranged for her stay. During her stay at the Consulate, Ameera was in touch with her handler through a cell phone which the latter had provided. He had asked her to meet him in the morning when she had gone out of the Consulate General's premises. The handler had threatened her by warning her against disclosing anything to the officials or else the security of her family in Pakistan would be in peril.

Ameera's tragic story clearly pointed to a network of women traffickers operating in Pakistan and Saudi Arabia. Women were being recruited and sent to Saudi Arabia to beg and commit other crimes. It was likely that Ameera had gotten infected when she had been forced to work as a sex worker.

⁷ Also known as an *exit pass*, this travel document is issued in lieu of a passport enabling the holder to be able to travel on a one-way trip to the home country; it is issued to people who have lost their passports, or have deliberately destroyed these to avoid detection of their illegal status or whose passports have been illegally withheld by local employers.

The DPR was obviously shaken. He wanted Ameera to be treated at the facility without any distraction. However, it was not an easy task as the police was likely to continue its investigation into the case. He wanted to talk to Ameera's relatives in Pakistan. After some persuasion, Ameera agreed to give him two cell numbers in Pakistan.

When the DPR called one of the numbers, a woman responded. Upon inquiry, the woman introduced herself as Ameera's sister. When she was told about Ameera's health, the woman did not seem to be very concerned, but she did seek his help for Ameera's early return to Pakistan. For the family, this did not seem to be an urgent issue.

The very next day, the Consulate General received copy of an email addressed to the high authorities in Islamabad mentioning that a Pakistani woman named Ameera was held by the Saudi police on concocted charges and that the "apathetic and negligent" Consulate authorities were not helping her. Immediately, the DPR and his boss realized that the traffickers in Pakistan had now sprung into action and had started pushing certain buttons to pressurize them.

After a few days, the supervisors in the Pakistan Ministry of Foreign Affairs in Islamabad asked the Consulate General to send a brief on Ameera which was provided to them in the hope that while the mission would be busy in arranging relief to the unfortunate woman, Islamabad would do something to stop this business which was continuing with great impunity, almost certainly in connivance with elements in certain agencies that were required to control the menace.⁸

“Smuggle her out” – An Advice

A week later, the DPR received two visitors in his office. One of them introduced himself as a local Pakistani businessman. He informed that he had been approached by some acquaintance in Pakistan with the request to help in the release and departure of Ameera. When the DPR requested for details, the so-called businessman did not divulge the identity of the "acquaintance." On the contrary he said in a threatening tone that "It would be in DPR's interest and in the interest of the Consulate General to have the woman released and sent to Pakistan and avoid encouraging the police to probe further."

The DPR told the visitors that he would himself like Ameera to depart for Pakistan immediately. However, there were several procedural hurdles in her departure. On this, the visitor offered to smuggle Ameera out of the Kingdom into Yemen and then take

⁸ The foremost of these agencies is the immigration police, the Federal Investigation Agency or FIA whose officers can readily identify the "genuine" passengers from such trafficked persons – and whose job it is to do so. Indeed, such victims are so clearly identifiable from their misdemeanor that even less trained persons (like fellow passengers) can pick them out like a sore thumb. This editor personally witnessed two bare-footed, extremely filthily dressed persons exiting Jeddah airport with their belongings in a gunny bag.

care of her further travel to Pakistan from there. He just wanted the Consulate to have Ameera released from the facility and assure the local police that she would be their responsibility. Once in the Consulate's custody, the visitor assured that she would immediately be taken to Najran region for crossing into Yemen. Once in Yemen, they expected the DPR to help them in getting an emergency passport from the Embassy of Pakistan in Sana'a.

Apart from other improprieties – and even illegal actions – this was almost an impossible task as Ameera's health condition was quite fragile. She was unlikely to survive the travails of such a perilous journey. Curious as he was, DPR asked the visitors as to why a poor kiln worker had become so important for them. In their reply, the visitors implied that they were visiting on behalf of their influential contacts in Pakistan who were worried about the whole affair and the way that he was handling it. It was quite clear that their main interest was in the release of Ameera from the police custody and later taking over her custody from the Consulate.

It was more than obvious that they were concerned that Ameera would share details of the activities and the identities of her handlers with the police. This could be a blow, howsoever temporary, to their sordid business. During the conversation, they posed themselves to be patriotic Pakistanis who were concerned about Pakistan's international image that would be compromised if the Ameera affair dragged on. The further highlighted that in case anything went wrong, it would be solely the responsibility of the DPR and CG.

At this point, the trained diplomat that he was, without getting further bogged down, the DPR informed them that the matter was in now in the Saudi police's control and that he would be obliged to inform the police if they insisted on taking the custody of Ameera. Thereafter, the visitors left without any further discussion.

Nevertheless, the exploitation of the issue in Pakistan intensified. Letters, petitions and emails were being sent to all influential quarters. The principal officers in the Ministry of Foreign Affairs were being contacted by politically influential individuals asking about the details of Ameera's case. The principals would then ask the CG to address the issue as quickly as possible. As the days passed on, the CG too became jittery about incessant telephone calls from Islamabad. More interestingly, he was also receiving calls from influential Saudi sources offering help in having Ameera released with the advice to avoid pursuing the case after her departure. Not surprisingly, the CG wanted to close the case as quickly as possible without ruffling too many feathers.

In the whole equation, the DPR was now becoming isolated. He needed allies within the system in order to ensure relief to Ameera as well as to expose the network engaged in trafficking vulnerable women from Pakistan. On his request, the CG allowed him to co-opt the Manager of the Pakistani National citizenship Registration Authority, popularly dubbed NADRA, who enjoyed a good professional reputation with strong links in community as well as with Saudi institutions.

The DPR tasked the Manager NADRA to find out some useful links in the community who might have an insight into cases like that of Ameera. After a few days, the Manager NADRA confirmed his suspicion that there was a group of people who maintained good contacts with elements in relevant agencies in both countries. They were involved in trafficking of women from Pakistan, among other countries. Women would declare one man in their group as their *mahrūm* or male guardian. The guardian would bring the group from Pakistan to Saudi Arabia and hand them over to their handlers and then their ordeals would begin. These women usually made huge sums of money by begging and “other activities” which would then be distributed among partners – hence the pressure from all around.

Fearing that Ameera would spill the beans, the local facilitators and handlers of trafficking ring had disappeared. The traffickers in Pakistan, nevertheless, had started working overtime. Authorities in Pakistan were receiving signed petitions from “concerned citizens” containing fabricated details of the abuse of helpless Pakistanis in the Consulate General of Pakistan, Jeddah. Ameera’s case would be cited as an example. The Ministry of Foreign Affairs was unhappy as it believed that the Consulate General was allowing the case to drag on and other ministries and agencies were angry due to the suggestions in DPR’s reports that elements in their ranks might have been involved in trafficking cases. No one from Pakistan was replying to his queries as well as requests to help address the root cause of the problem.

He met local police authorities in the hope that their investigation would indicate something useful. To his utter dismay, the authorities told him that all the local numbers in Ameera’s cell phone had fake identities and the numbers were no longer functional. Besides, the local police were also under pressure to remove the references to trafficking networks in their reports. So, very clearly the traffickers were active in both states and had ample contacts in and support from authorities in Saudi Arabia as well as in Pakistan.

Accordingly, the DPR now focused only on the return formalities for Ameera. He successfully negotiated the terms of Ameera’s release and deportation with the authorities. They agreed to drop the charges of prostitution and her cooperation with criminals, and consider his request to continue investigation into local networks of women trafficking. Now the issue was how to find a safe place in Pakistan where Ameera could also get treatment for her ailment since she was reluctant to return to her family. DPR spoke to a welfare organization in Karachi which connected him with an organization in Lahore whose focus was to provide relief to HIV+ patients and help them integrate with the society.

After few days, Ameera departed Saudi Arabia for Pakistan. Following her departure, the DPR continued following up with the Saudi authorities on Ameera’s case in the hope that they would further pursue investigation into trafficking networks from Pakistan. But after a while, the Saudi authorities lost interest in the investigation for some reasons best known to them. It was likely that this was due to the lobbying of

influential locals who were somehow connected with the network that ran not only between Saudi Arabia and Pakistan but also several other countries including Yemen, Indonesia, Sudan and other African states.

The DPR's reports which had been sent to all relevant Ministries in Pakistan yielded no results. Partly this was due to the manner in which complex bureaucracies operate and partly due to the manifest influence of the traffickers in Pakistan that they exercised in the departments which were supposed to pursue the case. Consequently, while Ameera had been deported, those who had brought her to Saudi Arabia and had forced her into begging and prostitution could not be taken to task.

After a few weeks, new challenges emerged to occupy DPR's attention. Among others, these included the cases of a mentally deranged but highly educated elderly woman claiming Pakistani citizenship without any papers to support the claim, a group of four Pakistani men who were charged with the brutal murder of their pregnant Indonesian maid and pressures on the Consulate General by a political party in Pakistan in their favour, and that of an old man who was suffering from many diseases, including putrefying wet gangrene, but still refusing to return to Pakistan as he thought his nephews would kill him for his property. Some of these people died while arrangements were being made to provide them with relief. When contacted, their relatives hardly showed any concern on their state. In fact, upon the demise of the elderly, they advised the DPR to bury them in Saudi Arabia. The welfare section continued to refer cases like these to him until his departure from Saudi Arabia.

Like Ameera, Professor Dr. Humayun Jahan, Mai Siddiqan and Hazrat Ali, among others, lived in his memory as symbols of misgovernance, negligence, wrong priorities and complicity of state institutions. Those who were involved in this complicity were not aware about the cost these voiceless and powerless people had to pay in a foreign land for the wrong deeds of the criminally minded people back home.

Lessons Learnt

At the Policy Level

- (i) Public sector complicity in trafficking – whether for want of appropriate legal frameworks, weak enforcement actions or powerless administrative mechanisms – deepens vulnerability and weakens confidence of people in the state's ability to address crimes like trafficking.
- (ii) Ameera's case underscored the role of tour operators and their illegal agents. The Umrah tour operations are not governed by a comprehensive law regulating their conduct from the start of the transactions to their end. Thus they are easily able to avoid any legal responsibility in cases of criminal activity.

- (iii) **Crime-Poverty Nexus:** The agents of these operators recruit victims from marginalized classes for trafficking them to the holy land as Umrah pilgrims. These pilgrims are then left behind in Saudi Arabia for begging and “other activities.” In Saudi Arabia, fines were imposed on the tour operators by the Saudi government when pilgrims under their care absconded. However, this fine was easily affordable given the heavy sums the Umrah over-stayers turned temporary illegal workers were expected to earn.
- (iv) Lately, the Saudi government has started issuing online Umrah visas with a strong associated cost and an over-arching system. This has made it somewhat difficult for tour operators to continue their activities without scrutiny as Saudis are now better equipped to track overstaying pilgrims. In Pakistan, however, a comprehensive law to regulate the conduct of the tour operators is yet to be adopted.
- (v) Moreover, after the 18th Constitutional Amendment, tourism has been devolved to the provinces. The absence of a comprehensive law and slow settlement of issues relating to devolution between provinces and the federation have enabled the tour operators to use the system in their favour and avoid being blacklisted in case they are caught upon involvement in any illegal activity.
- (vi) Unless these issues are addressed, necessary preventive checks cannot be imposed on Umrah operations. Similarly, an effective monitoring and accountability mechanism needs to be established to stop exploitation and extortion.

At the Personal Level

- (i) At the personal level, the DPR felt that he only been able to address one the many symptoms of a deeper malaise. The root cause of the ailment was in Pakistan. He sought solace in the fact that he did whatever was possible to provide relief to unfortunate Pakistanis in a foreign land. But continuation of this problem with varied intensities indicated that it had deeper roots. It had to do with weak oversight of Umrah operations and poor enforcement at the ports of departure.
- (ii) He needed support within the system which he could not muster. Even some of his colleagues within the Consulate General did not believe that the traffickers posed a threat to Pakistan’s image or to the welfare of vulnerable Pakistanis. His bosses at the Ministry of Foreign Affairs considered his views about the welfare of the low income and illegal workers as too radical.
- (iii) The DPR was able to persuade CG to seriously pursue the case of construction of a proper Consulate building with Islamabad. A proper building with permanent healthcare facilities for the community could have addressed some of the issues of helpless and powerless Pakistani expatriate community. But this proposal was also torpedoed by one of the political bosses. He requested the Ministry of Foreign

Affairs for a recall from Jeddah one year before conclusion of his assignment. Alternatively, he could have stayed in Jeddah and worked on raising awareness about the issues of Pakistani workers in that country through various means. In the long run, this might have won him allies in different departments willing to extend help in Pakistan, where required. That was, nevertheless, a vague prospect.

Conclusion

Illegal activities in the guise of religious tourism have exposed unwary Pakistanis to exploitation due to their economic and social vulnerability. It is the responsibility of all public sector organizations to address shortcomings of current legal and administrative frameworks in handling these situations. The consular missions of Pakistan abroad need to be empowered to deal with the challenges caused by crisis situations involving Pakistani diaspora.

Recommendations

Flowing from the above case, a set of recommendations is offered with focus on the welfare of Pakistani workers particularly in the gulf region, as follows:



- *Comprehensive Law*: There is a need to adopt a comprehensive law governing the conduct of tour operators. This law needs to be properly implemented.
- *Funds*: reasonable budgets may be provided for relief and rescue of trafficking victims enabling Consular offices to, inter alia, hire local staff with connections in local institutions as well as offer in-house medical facilities.
- *Adequate training*: The officers of the Ministry of Foreign Affairs need to be trained in consular and welfare duties with focus on regional specialization.
- At the international level, Pakistan's United Nations missions should enhance their engagements with relevant UN bodies such as those which deal with international

human rights and labour rights (ILO) law with a view to seeking better treatment for foreign workers worldwide. This will help Pakistani workers in any country.

- At the bilateral level, Pakistan must pursue bilateral consular dialogue particularly with all the Gulf states and where this mechanism has not yet been established, it may make an effort to establish it.
- Lastly, *an Inter-Ministerial Monitoring Committee* under a relevant federal secretary may be established to monitor various welfare initiatives by the missions, any delay in their implementation or in providing relief to the complainants at the Prime Minister's Performance Delivery Unit portal. This committee should also provide a mechanism of protection to competent officers against vilification and intimidation

Global Connectivity through International Postal System

Hafiz Shakil Ahmed Qureshi¹

Introduction

Monopoly is a rare commodity in today's world. With advancement of technology and development in means of communications and transportation, competition has become fierce. Customers have a variety of choices and there seems to be no indispensable producer or service provider. From the customers' point of view, this positive development has brought the former era of exploitation to an end. On the other hand, it has forced organizations to face cutthroat competition and colossal challenges. This reality has prompted organizations to improve and has enhanced customers' power that in turn has ushered in efficient service delivery and quality of service.

When product lines were limited and producers had monopolies, the users of goods and services were constrained. As customers gained more choices, producers and service providers had to modify products on the basis of users' demands. Users' likes and dislikes were now routinely taken into consideration when deciding what to produce and at what price to sell. This probably was the point where modern marketing was born.

Pakistan Post has long offered a host of products and services. Yet, like most public sector organizations, Pakistan Post does not take customer into account while developing a product or a service. Moreover, the people working in the organization are not convinced of the strengths of their own services and are, generally, shy of accepting organizational weaknesses.

Pakistan Post can be proud of having an enviable network with countrywide presence. There is no exaggeration in saying that Pakistan Post has a 100% footprint in the country. It is not just a national but rather an international organization that encompasses the globe through its partnership with the Universal Postal Union (UPU). The most developed and the best equipped postal administrations throughout the world are its partners. Accordingly, Pakistan Post is better placed for reliable delivery abroad. Unfortunately, it has not been able to exploit this strength due to its inability to inform customers about the real-time status of their mailed articles. This is just one example of an area for improvement.

On the other hand, being a part of the government and having a bureaucratic setup, stagnation crept into the organization. There is still no Marketing Wing in Pakistan

¹ Postal Service Group, 115th NMC.

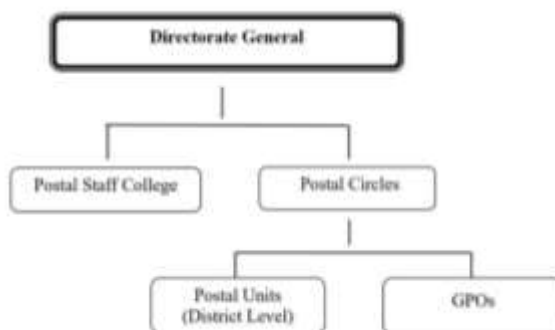
Post. No system is in place for product and services analysis, what to speak of market research and surveys before launching a new service or product or for improving existing services.

Pakistan Post's processing of international mail items was manual at all levels including booking, processing at domestic as well as international sorting centres and complaint handling. All forms and bag labels were also prepared manually. This was at a time when most postal administrations across the globe had started to use unique item identifiers popularly known as barcode labels for each type and category of mail. These systems were backed up by comprehensive track and trace systems which ensured visibility and traceability of postal items.

This case study highlights a new strategy that brought about a change in the public sector. The aim was to bring about transparency, predictability, and improved productivity. For achieving these policy objectives, the officer took his seniors into confidence, motivated and trained operational staff to implement change to not only fulfil an international obligation but also a requirement of customers.

Pakistan Post Structure

Pakistan Post is a public sector organization with following set up.



The Director General is the head of the Department and is also Chairman of Pakistan Postal Services Management Board (PPSMB). The Board was established to allow autonomy and freedom of action to Pakistan Post so as to revitalize the organization.

The PPSMB structure is detailed below:

- | | |
|--|-------------------|
| (i) Director General, | Chairman |
| (ii) 3 Senior Technical Officers of Pakistan Post | Members |
| (iii) 3 suitable persons from the private sector | Members |
| (iv) An officer of Joint Secy. level from M/o Finance | Financial Advisor |
| (v) An officer of Jt. Secy level from M/o Postal Service | Member |

At the Directorate General Level, the D.G is assisted by three Additional Directors General:

- (i) Addl. Director General (Administration)
- (ii) Addl. Director General (Operations)
- (iii) Addl. Director General (Financial Services)

Scene Setter

Mr. Ahmar, Deputy Controller International Mail Office (IMO) Islamabad was in his office. Suddenly the door opened and a well-built, nicely dressed young man entered the room. In spite of his proper looks, he was shouting at the top of his voice. Mr. Ahmar asked him to calm down and sit down but he continued to shout, “What the hell are you doing here? This is the 21st century and you need to wait one month for a response. Are you still in the Stone Age? Why are you robbing us?”

Upon being calmed down, it transpired that he was a customer of the postal service who had sent a parcel to United Kingdom. Addressed to his sister, the parcel contained a bridal dress for his niece. Although the date of marriage was drawing near, he did not have a clue about the whereabouts of the parcel. The postmaster had informed him, as per practice in vogue that an inquiry would be generated and would be sent to the United Kingdom Post Office. As per rules they were supposed to respond within 60 days if the inquiry is sent by post and within 30 days if sent by email or fax.

Section I

1. Situation Analysis

1.1 Manual Processing of International Mail

In this unpleasant incident the customer was fully justified in complaining against the backwardness of Pakistan Post and the inability of Mr Ahmar, Deputy Controller International Mail Office (IMO), to respond to his query in a satisfactory manner. The customer was not asking for moon. He was just referring to a practice prevalent in postal services throughout world – which was also followed by local courier companies. With the introduction of computers and information technology, the speed of providing information had increased manifold.

Personal letters which had formed a major part of postal services had all but vanished as mobile phones and email proved to be a much cheaper and faster means of communicating and sending messages across. However, fortunately, it still stood relevant in the market due to its ability to move heavier material in the shape of packets and parcels around the globe. One of the demands of modern-day customers was to have end to end visibility of movement of dispatched packets and parcels which was

available with private courier companies and developed postal services. Pakistan Post had hesitated and delayed injecting technology and investing in the field of computerization and provision of track and trace facility. This is exactly what had led to the scene with Mr. Ahmar. Pakistan Post operations were being carried out without any computerization and digitization of movement.

1.2 The Process

To understand the process of handling of international mail items, let us see the steps involved therein at the time of the incident.

1.2.1 Booking at Counter: When an article was presented at a post office counter by a customer, its receipt and record keeping was done manually by the staff. The booking clerk weighed the article, affixed the appropriate postage, and wrote out a four digit number (according to the class of mail – letter, parcel or International Speed Post (ISP) which later became Express Mail Service (EMS) – and the serial of running booking journal. The customer was then handed a hand-written booking receipt for record purposes.

1.2.2 Preparation of manual manifest (lists) was done by the booking staff separately according to the class of mail, parcels on the parcel lists and registered letters.

1.2.3 Processing at District Hub: District Mail Office (DMO): From the booking offices, the mail items were sent to the district hub(s) known as District Mail Offices. The receipt of mail, sorting and dispatch was carried out by way of preparation of manual mail lists. Bundles of record relating to each day's receipt and dispatch were be kept for each day.

1.2.4 At Offices of Exchange (OEs): Being governed by Universal Postal Union (UPU) treaty and World Customs Organization (WCO) Convention, specified unique documentation and procedures covered all international mail. Other agencies involved are Designated Postal Operators (DPOs) of each country, International Air Transport Association (IATA) and International Civil Aviation Organization (ICAO).

Upon being received from DMOs, mail items were placed in receptacles and organized into dispatches. Dispatches were required to contain the same type of item (EMS items, letters, or parcels). The dispatches were then arranged into consignments which could be a mixture of item types. The consignments were then turned over to the carriers and sent to the destination country.

During manual processing of mail at OEs, prescribed UPU forms were prepared manually either by way of being type- or hand-written. The process of record keeping was the same as that prevailing in DMOs. In case of any inquiry regarding a postal item, these bundles would be opened, and confirmation of dispatch would be provided.

The International Mail Office (IMO) could only inform of a particular item having been forwarded to the country of destination.

There was no track & trace of outward international mail in manual processing. In case of discrepancy, CN-08 (Inquiry Form) was issued to the destination postal administration for searching out the missing items or to settle the disputes with a CN-43 (Verification Note) being issued for discrepancies. The time limit for responding to inquiries generated through issuance of CN 08 was sixty (60) days. Later it was reduced to thirty (30) days provided that the inquiry was sent by email or fax. This was usual time that was required for finding out articles through scrutiny of record that had been kept manually. From the customers' point of view, this must have been quite frustrating as they had to wait for 30 to 60 days for a response to their genuine complaints.

1.3 Dual Responsibility

While Pakistan Post was facing the threat of losing existing customers due to non-availability of a track and trace system, UPU had linked the payment of for delivering international postal items with the quality of service. Forty (40) percent of the payment was dependent on different quality of service features. The major portion was for track and trace system. Following is the detail of features that were made mandatory for all postal operators.

Track & Trace System	25%
Home Delivery	05%
Delivery Standards	05%
IBIS (95% on time response)	05%

The existing processing of international mail not only did not fulfil customers' demand but was also well short of meeting international obligations set by the UPU.

1.4 SWOT Analysis

Before moving towards a solution, Mr. Ahmar decided to carry out at SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis. The gist of this analysis is as follows.

A. Strengths:

- (i) Outreach - 100% footprint in the country and ability to connect internationally to any country and territory of the world;
- (ii) Lowest rates – by providing the most economical facility, especially for walk in customers and general public, Pakistan Post was the cost leader;
- (iii) Century old affiliation of the citizens;

- (iv) It was a national courier backed by a government guarantee.

B. Weaknesses:

- (i) Technology averse lower-level Human Resource (HR);
- (ii) Lack of strong technological team at central office;
- (iii) Lack of financial resources;
- (iv) Lack of central R & D wing;
- (v) Rigid bureaucratic structure – being part of government, Pakistan PPO had remained inflexible in many cases, unlike its competitors;
- (vi) Prolonged policy initiation and approval procedures.

C. Opportunities:

- (i) UPU's International Postal System (IPS) member;
- (ii) Quality of Service Fund of Universal Postal Union;
- (iii) Positive leadership;
- (iv) Regional Support Centre of UPU.

D. Threats:

- (i) Tech savvy new entrants in courier industry;
- (ii) Rising time sensitivity and visibility requirements of customers;
- (iii) Payment for Performance and Quality of Service (QoS) linked with terminal dues.

Section II

2. Solution and Road Taken

The only Solution was to equip Pakistan Post with technology so as to make track and trace facility available to ensure visibility of postal articles. Ensuring availability of end-to-end tracking was imperative and the only way to win the confidence of customers.

2.1 Introduction of Standard Barcodes Labels as Prelude to Change

The first step that was planned to be done was introduction of barcode labels. UPU had approved a standard unique identifier which is affixed on every postal item for track and trace service. As per specification detailed in UPU S-10 standard, the design of barcode was shared with the printer for experimentation. Following is the UPU standard barcode scheme.

Service Indicator		Serial Number	Country Code
Registered Letter	RA-RZ	123456789	PK
Parcel	CA-CZ	123456789	PK
EMS	EA-EZ	123456789	PK
Examples:	Pakistan Post Registered Letter: RA123456789PK Korea Post Parcel: CA123456785KR Royal Mail UK Express Mail: EA123456786GB		

The labels were printed and affixed on selected registered letters that were then sent to Canada as a test case. Then the waiting time started. It was hoped that when these items reached the destination office of exchange (OE), Canada Post will scan these and upon scanning, these would be visible on Canada Post website.

These anxious moments lasted for at least 8 to 10 days. After dispatch of these registered letters, Mr. Ahmar tracked these daily on the Canada Post website. It was a great moment when the track showed arrival of the registered letters in Canada. The next day it showed the onward movement to the delivery office. This was a great moment for IMO Islamabad where the whole team was excited. Mr. Ahmar prepared a presentation for his Director General and included this whole scenario for the presentation at the headquarters. The requirement was placed before the top management showing that that was possible to extend IPS in all Offices of Exchange (OEs) starting from Islamabad as a pilot project. The management agreed and Mr. Ahmar was made Project Manager for implementation of IPS or International Postal System.

The IPS application allows postal organizations to store and exchange data relating to the mail handling process. The IPS has the capability to capture and show complete movement of mail items from booking to delivery. IPS item tracking records information about the mail events that happen to an item during each step of the international mail handling process. Postal organizations can use the IPS system to identify each mail event and keep track of each item from the time it is received from the customer until it is delivered and at any point in the process. It can automatically produce the required standard shipping documentation, such as receptacle (bag) and dispatch manifests, letter bill, and delivery bill.

2.2 Options Available

To implement the IPS, Mr. Amar listed the different options available, which were:

- (i) Get a software developed;
- (ii) Buy an off the shelf solution which could be customized and implemented;
- (iii) Utilize the UPU developed solution. The UPU had its technological arm Postal Technology Centre (PTC) which had developed the IPS that Pakistan was using

- on a limited scale in only one OE at Karachi and that too for the International Express Mail Service (EMS);
- (iv) Use IPS but implement it indigenously.

2.2.1 Develop or Purchase New Software

The first option i.e. development of an in-house software for processing of international mail was examined. Pakistan Post had already carried out this experiment when Express Mail Track and Trace System (EMTTS) was developed by Post Infotech, a subsidiary company of Pakistan Post Foundation (PPF). However, development or purchasing an off-the-shelf solution could be a time taking option. Moreover, in the presence of a tried and tested system of UPU, new development would have amounted to reinventing the wheel. Mr Ahmar decided to follow the route of utilising the UPU's IPS (International Postal System.)

2.2.2 IPS Implementation with UPU technical mission

Now the process of engagement with UPU and Regional Support Centre for Asia Pacific (RSCAP) started. The UPU was requested for implementation of IPS in all Offices of Exchange starting from International Mail Office (IMO) Islamabad as the pilot project. They were quick to respond and happy to get this information and sent Mr. Ahmar the requirements for implementation. Their email which contained the proposed plan. However, when the cost was noted, the excitement came down a great deal. For the PTC it was a SOP that it would send a mission to the interested country for a site survey to assess the requirements, especially the hardware. The consultancy from UPU was an essential part that included:

- (i) Site survey visit of the consultant for recommending the required hardware and preparation of the site;
- (ii) Implementation visit for installation of the software and training of the operational staff;
- (iii) A third optional visit to review the performance.

Each visit would have following cost components:

- (a) Round trip air ticket for consultant(s) (Berne, Switzerland to Islamabad).
- (b) Payment of 750 Swiss Francs (CHF) per day for the consultant. (7 days/ visit / site)

The estimated cost was Rs. PKR 2.6 million excluding the cost of hardware. This meant that for five locations the cost would be PKR 13 million. It was not possible to allocate this amount from the operational budget. But, on the other hand, a special demand could have taken quite a long time.

2.2.3 Road taken: Indigenous Implementation of IPS

So, Mr. Ahmar decided to concentrate on the indigenous implementation of UPU provided solution. This approach required support from the top management and ultimately from the UPU's Postal Technology Centre (PTC).

Section III

3. Challenges & Methodology Adopted

3.1 Enlisting the Requirements

The first step towards the selected route was to enlist the requirements. Mr Ahmar talked to his counterpart at Express Post Karachi, studied available literature on PTC's website. The implementation required workstations, servers, networking and most importantly software and capability to run that software.

3.2 Enlisting Stakeholders

The stakeholders to be taken on board included the management of Pakistan Post, technology partners who could provide IT support for networking and installation of a complicated software, a team of willing workers who would be ready to learn the operations of the software and most importantly the team which was already working in Karachi on the system.



3.3 Assigning Roles

The Director General had already notified Mr Ahmar as Project Manager for implementation of IPS. The technology partner of Pakistan Post was M/S Post Infotech. The company was given the role of backup support for pure technical issues that may crop up during implementation. The operational staff were the true stakeholders as their role was that of the implementers.

3.4 Meetings and Trainings at Karachi

Mr Ahmar proceeded to Karachi Express Post Centre and held a meeting with his counterpart who was running the administration and operations. The purpose of the visit was to acquaint and upgrade himself both technically and operationally. At the Karachi office a strange situation existed as Mr. Anum, the in-charge, was in the habit of keeping everything to himself so as to make himself important and indispensable. Although a supervising official of a lower rank, he was so assertive that even the much more senior, Deputy Controller could not get any useful information out of him. Not surprisingly, when Mr Ahmar reached the Karachi office, Mr. Anum showed a complete lack of support and willingness to share information. Accordingly, Mr Ahmar started working with the operational staff to get himself familiarised with the operational procedures and workflow. In three days, he learned the whole process and familiarised himself with different screens of the software and different roles for handling the processes.

Now came the harder part as Mr. Ahmar wanted to get hold of the installation CD and learn the process of installation. As the official in charge was not cooperating, Mr Ahmar approached the headquarters and sought help to push the gentleman for transfer of technology. With great difficulty the CD containing the software was retrieved from the gentleman; then the manuals were downloaded from PTC website and the process of learning the installation was undertaken.

3.5 Approvals, IT Technical Support

After the initial presentation and successful experimentation, a complete plan was presented to the Director General and approval was sought for visiting and examining Karachi OE for orientation and engagement of technology partner for implementation as well as the requirement of hardware – though initially only for the IMO Islamabad.

Keeping in view the importance of the project and the way it was presented, all approvals were granted. This made Mr. Ahmar not only more confident, but it also placed more responsibility on him. Initially Pakistan Post IT team had been requested to help, but keeping in view the shortage of human resources it was decided to engage technology partners to whom the domestic tracking system had been outsourced.

3.6 Motivating and Training the Operational Staff

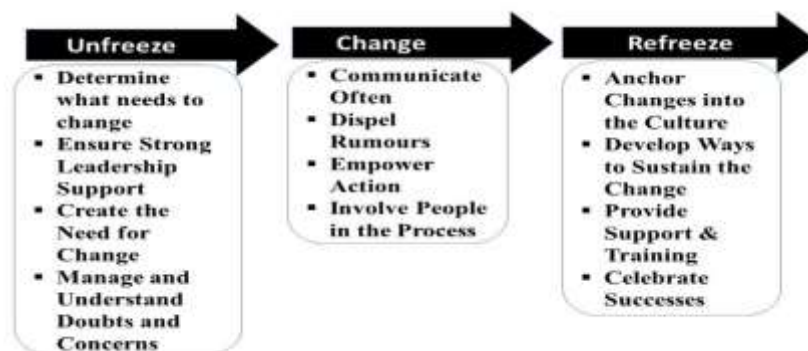
Change is always difficult to implement – and especially so in public sector organizations. The staff working in IMO Islamabad had vast experience of up to 20 years – but, unfortunately, their routine was dealing with manual processes. When they were asked to shift from manual record keeping and generation of forms to computerized processing of international mail, they thought this to be something impossible. However, they were informed about the practices across the globe and were

motivated to support the change. Since they were working in an environment where they would receive mail items from developed countries it was possible to show them practical examples and benefits of following the new route and path. The change in system was designed in collaboration with the RSCAP and in line with UPU guidelines.

3.7 Change Management Theory

With the staff having been motivated, change was introduced by using Planned Change Theory, based on the work of Kurt Lewin from the 1950s. His model is known as Unfreeze – Change – Refreeze, which refers to the three-stage process of change that he describes. The steps in Lewin's planned change theory are as follows:

- (i) **Frozen** (state): Lewin believed that people are comfortable with their existing state of affairs and are frozen in that comfort. They don't want to come out of their comfort zone.
- (ii) **Unfreezing**: In order to move them towards change they need to be unfrozen so that they are ready for change.
- (iii) **Transition**: After unfreezing, Lewin believes that stakeholders need to embark on a journey of transition which results in change; people may need support through this transition period to ensure that they are able to complete the transition and make the change. Once a person has successfully made the transition to change, they will need to refreeze.
- (iv) **Refreezing**: This involves nesting, laying down roots and regaining the stability experienced prior to the change. Without refreezing the change will not last. Through refreezing the change will become a permanent part of the organization.²



Source: Lewin K. (1951) 'Field Theory in Social Science', Harper and Row, New York.

² Lewin K. (1951) 'Field Theory in Social Science', Harper and Row, New York.

3.8 Setting up Goals and Targets – Result Framework

Objective Statement	Indicators	Measurement Tool
Goal		
To establish a world class international mail processing entity	International mail volume, Better Customer Experience (CX)	Annual Reports
Strategic Objectives (1 or 2)		
1. Customer Experience (CX)/Increased Customer Base	<ul style="list-style-type: none"> • Inbound & outbound mail indicators • social media indicators 	<ul style="list-style-type: none"> • Visibility of mail/ • fewer complaints • increased volume of mail • likes & shares on social media
2. Fulfil International Obligation	Better ranking in Quality of Service, transport and delivery standards	4 Metrics of Postal Development Report , Monthly Performance Metrics of EMS, QCS Mail Big Data
Regional Connectivity (Asia Pacific)	Transit Hub for Afghanistan, Iran	Mail Volume of Transit
Intermediate Results (2 or 3)		
1. UPU compliance with International Postal System	Compliance with UPU EDI goals	Monthly and Quarterly Reports of EMS and Parcels
2. Increased Customer Satisfaction	Visibility via EMTTS	Increased Revenue/Comparison of Inbound and Outbound Mail
Activities (any number)		
Scanning of outbound and inbound mail	Scanning visualization of events in GCSS, I-Care and EMTTS	Weekly, Monthly and Quarterly Reports

Integration of IPS with EMTTS	Visualization of IPS events in GCSS and I-Care	Results of integration in monthly EMS co-operative reports
Data Replication at Central Office Level in IPS	Visibility of Booking, transmission and Delivery in EMTTS	EMTTS Reports
Training of HR	Efficient and fast track scanning of all mail	Scanning of all outbound and inbound mail
Monitoring and Evaluation	Visits and Inspections	Bi-annual Performance Review of OEs
Inputs		
IT Hardware and software	Availability and deployment	Physical inspection
Training workshops	Efficient and smooth transition	No backlog of mail items
Updation of data from IPS into local server	Availability of track on website	Practical random tracking

Section IV

4. Final Outcome and Lessons Learnt

4.1 Successful Implementation

While this whole case may seem to be just an exaggerated description of implementing the introduction of a software, this is not the case. It is being narrated in so much detail as an achievement and as a success story because it was implemented by a non-technical bureaucrat who, quite truthfully, not only overcame departmental resistance to change but also saved a huge amount of money, especially foreign exchange, in the process. This development further strengthened a whole department and is now the backbone of current postal tracking system which continues to earn both money and respect for the country. Mr Ahmar was rightly happy on these developments. Followings is a description of IPS and detailed tasks that were completed for its implementation and provision of tracking to postal customers.

International Postal System (IPS)

IPS is an application for handling international mail developed by the Universal Postal Union. The IPS application allows postal organizations to store and exchange data related to the mail handling process. IPS keeps item tracking records and information about the mail events that an item passes through during the international mail handling process. Postal organizations can use IPS to identify every mail event that an item experiences from the time of being received from a customer until it is delivered.

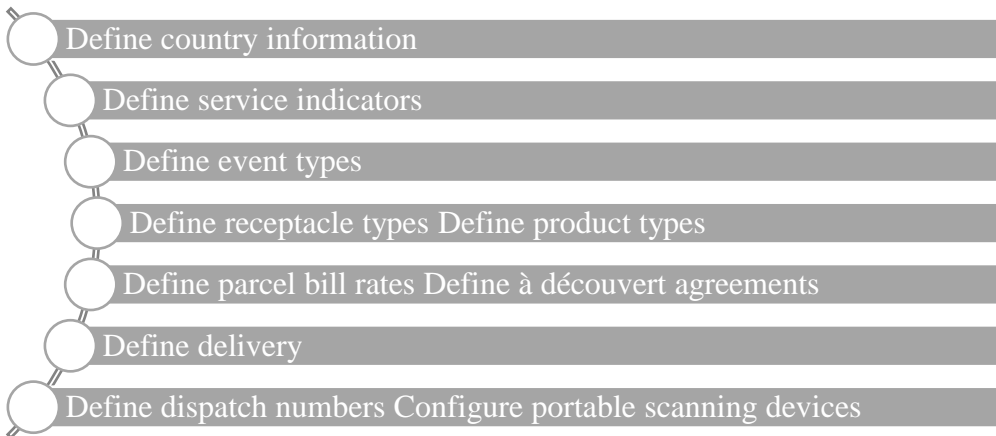
1. Acquisitions of hardware (one server 4 workstations); plus other accessories including one laser printer, bar code scanners, C.D writer, and external modem.
2. fully operational wireless network established.
3. IPS software with Web Tracking module received from UPU.
4. IPS installed and running without any outsourcing or foreign consultancy.
5. All data relating to incoming mails uploaded in the system.
6. Staff was provided functional training by Mr Ahmar (Dy. Controller) locally.
7. Mailboxes PK 330 for parcels, PK 350 for letters for TRAKIT and PK101 for PREDES/RESDES EDI messaging created in UPU server.
8. VPN connection established for Electronic Data Interchange (EDI).
9. Web Tracking module configured to provide tracking facility to customers.

To set up the national server, following steps were followed.

Technical Settings: The following settings were made in the application. Mr. Ahmar got it done with the help of technology partner of Pakistan Post and remote support from Regional Support Centre of Asia Pacific of UPU.

- Setting up National Server
- Registering IPS
- Updating registration key
- Configuring checklist of Mandatory and Recommended Tasks
- Defining the local configuration
- Defining operational parameters
- Defining the schedule
- Defining the national configuration
- Defining valid mail classes

- Defining next offices
- Adding new offices in your organization
- Configuring EDI services
- Viewing and defining exchanges with your EDI partners



4.2 Outcome of Implementation

4.2.1 Satisfied Management

The successful implementation of IPS was appreciated by the management of Pakistan Post. The Director General Pakistan Post (DG, PP) visited IMO Islamabad. Deputy Postmaster General (DPMG) Northern Punjab Rawalpindi who was the immediate boss of Mr Ahmar accompanied the DG. The practical demonstration was appreciated by the visiting officers. The DG PP directed Mr. Ahmar to collaborate with the technology partner for implementation of IPS in all OEs across Pakistan.

It was good news for the management from the customers' perspective as they now had better visibility of postal items. At the same time, it was a compliance of UPU's requirement of putting a tracking system in place for getting better payments upon delivery of incoming international postal items. So, this development not only proved beneficial to the customers, but it also enabled Pakistan Post to fulfil an international obligation.

4.2.2 Happy Operational Staff

Technology has consistently changed the way employees do their jobs. Technology has also improved working conditions by streamlining tedious and complicated processes, increasing work speed and accuracy and positively contributing to enhanced productivity. Technology's impact on the work environment is immeasurable. While

making work look easy, it makes all postal staff (from sorters to supervisors) more productive as their accuracy and speed increase. Computerized processing has exponentially increased productivity and speed at which both incoming and outgoing mail is now processed. Work that used to take hours is now finishing in minutes. Doing away with manual preparation of postal forms and bag tags has made life of staff easy and also brought accuracy in handling. The resulting satisfaction among the staff has positively impacted workplace environment and management. Customer-relationship has improved with readily available information. Instead of going through big bundles of working papers to find out the fate of a particular postal item, this information is now only a click away.

4.2.3 Something Good to be Shared with Customers

Booking offices and customers who used to approach the IMO after sending their postal items were accustomed to have typical response, “Let us check this and we will come back to you tomorrow or after a few hours.” Now they are pleasantly surprised when the officials at IMO say, “Please hold; let me check in the system.”

4.2.4 Developments Following IPS Implementation

The successful implementation of IPS in IMO Islamabad as a pilot project became a prelude to success introduction of different technological tools that improved the operational outlook and a better organizational perception of customers. This was a step towards Operational Readiness for E-Commerce (ORE).

4.3 Lessons Learnt

1. It is fallacious to presume that everybody is averse to change. People may be and are afraid of the unknown. But change agents are required to educate both implementers and stakeholders. They can be motivated, if only their reservations are addressed. There may always be a few who don't wish to change, but the vast majority do adopt changes subject to proper education and motivation.

Change does not always come from top. Even in hierarchical setups, it is possible to convince the top management for organisational improvement. What is required is that plans are supported by solid evidence. Change advocates need to convince and gain support of the top management for change. It is crucial to communicate that the actions are for the betterment of the organization and achievement of its goals, and not for personal gains. Trust is the key which is a must ingredient before asking for top management support.

2. Wheels must not be reinvented. Being part of the UPU, Pakistan Post was entitled to benefit from the latest technological developments taking place in the postal world. Unfortunately, the connection between the UPU and Pakistan Post was

mostly at the highest level. The operational tier(s) had never been exposed to UPU and its contribution to operations.

3. Failure is generally attributed to lengthy processes and unwieldy hierarchies in public sector organisations. If analysed closely, one can discover that the basic problem lies in a lack of initiative. Both top and lower tiers continue to wait for someone else to take the initiative. Thus the requirement for all organisations is to encourage initiatives at all levels. The common belief that should be communicated throughout the organisation is that everyone, irrespective of his rank and position, is entitled to take positive initiatives.
4. For the success of any initiative, the best way is to involve as many stakeholders as possible. Support of stakeholders is required at every step and stage: for initiation of a project, provision of resources, assigning key roles and not the least for smooth roll outs.

4.4 Recommendations – Tips for Future Endeavours

1. Organizations should not hesitate and delay implementation of change for fear of employees' inability to adopt change.
2. New ideas must be encouraged at all levels and incentivised. Monetary rewards are not always required; quite often just acknowledgement and appreciation can suffice.
3. The capacity of internal IT cadres must be enhanced so that they may implement improvements that are gained from other partners or at least they should be able to synchronise changes with the industry.
4. Team building should be supported and powers should be delegated to middle and lower tiers of organisations for successful public sector organisational change.
5. Most public sector organisations usually have international partnerships. Such partner organisations can be approached to provide support to organisations in developing countries. With UPU representing the global postal sector and Pakistan Post being one of its members, its technical support was available as a right and should have been sought earlier. Indeed, Pakistan Post should have been more connected to the UPU, soaking up different softwares and technical support for keeping pace with global players in the industry.

Glossary of Terms

TERM	DETAIL
DMO	District Mail Office
DPMG	Deputy Postmaster General
EDI	Electronic Data Interchange
EMTTS	Express Mail Track and Trace System
GPO	General Post Office
IMO	International Mail Office
IPS	International Postal System
OE	Office of Exchange
PPSMB	Pakistan Postal Services Management board
PRECON	Pre-Consignment
PREDES	Pre- Dispatch
PTC	Postal Technology Centre
RESCON	Response to Consignment
RESDES	Response to Dispatch
RSCAP	Regional Support Centre for Asia and Pacific
UPU	Universal Postal Union
PFP	Pay for Performance
QSF	Quality of Service Fund
ORE	Operational Readiness for E-Commerce
EMS	Express Mail Service

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Saving the Face of Punjab Police: Learning from the Complexities of Zainab Case of Kasur

Muhammad Idrees Ahmed¹

Introduction

Kasur is the 24th largest district of Pakistan in terms of population and is spread over 3,995 square kilometers. It is located 55 Km. south of Lahore and is part of Sheikhpura Police Region (called a Range) of Punjab province. The 6th National census was held in Kasur district in April, 2017 during which the population was recorded at 3.46 million, with 25% being urban.² There are four sub-divisions and 19 Police Stations (PS) in the district.³

From 2015 onwards, Kasur has remained in an unenviable spotlight owing to notorious acts of sexual crimes against children. This even led to the change of the provincial head of Special Branch.⁴ The first case to be reported was from the village of Hussain Khanwala where hundreds of clips relating to young boys and girls surfaced; this child pornography racket was busted.⁵ The last, but not the least, was in September, 2020, when the district again drew attention after the remains of three boys were found; it appeared that they had been killed after suspected sexual acts in Chunian.⁶ However, the most barbarous and challenging of the acts to work-out, and one that drew the attention of not only the district but of entire Pakistan was, when one 6-year old girl named Zainab Ameen Ansari went missing on the evening of 4th January, 2018; her dead body was recovered at around noon on 9th January, 2018.⁷

This discovery sparked serious protests not only in the city but all across Pakistan, resulting in an emotionally charged mob attacking the office of Deputy Commissioner⁸ Kasur. To make matters worse, the security personnel protecting the office resorted to firing that further resulted in loss of two precious lives. Above all, this was not an isolated incident. Rather, there were about a dozen suspected kidnapping-cum-rape-cum-murder cases of minor girls that were being attributed to the same perpetrator from 2015 onwards. The local police and two specially assigned Additional Inspector

¹ Police Service of Pakistan, 115th NMC.

² https://kasur.punjab.gov.pk/district%20_profile (accessed on 04 December, 2021).

³ https://www.punjabpolice.gov.pk/kasur_directory (accessed on 04 December, 2021).

⁴ A non-uniformed intelligence gathering wing that is also responsible for special tasks including political affairs.

⁵ https://www.punjabpolice.gov.pk/kasur_directory & <https://www.dawn.com/news/1199603> (accessed on 04 December, 2021).

⁶ <https://www.dawn.com/news/1505729> (accessed on 04 December, 2021).

⁷ <https://www.dawn.com/news/1382022> (accessed on 04 December, 2021).

⁸ Throughout Pakistan, Deputy Commissioners are the heads of the district administration.

Generals (AIGs) of Punjab Police – the second tier police officers in the province – had remained unable to work out these heinous cases. This put, not only Punjab Police but the whole government under extreme pressure to solve the case and arrest the perpetrator, lest the gruesome act was repeated. Hence, it was essential to realize the point where conventional policing was not working; there was a need to think outside the box and try non-conventional approaches.

Indeed, when faced with extraordinary circumstances, those who are unwilling to think creatively will find themselves at the back of the pack or out of business.⁹ In today's world, thinking outside the box and doing things in new ways has become essential in order to remain within the business.¹⁰ So was the technique employed in working out the Zainab case, while *saving the institutional face of the Punjab Police*.

Statement of Intent

The abduction and later recovery of the dead body of minor girl Zainab had brought in its wake a flood of public demands to trace out the perpetrator and extend exemplary punishment. This had put the Punjab Police and indeed the whole Punjab Government under pressure to tackle the issue seriously.¹¹ The real pressure was coming from media, political opposition, and society at large. Moreover, it was coming at a time when the investigation of the Model Town operation of 2014 was still haunting the government.

Undertaking policing under such extreme challenges reinforces the thought in civil service circles that while brushing things under the carpet may enable them to sail through a few smooth days, but eventually the storm blows back and it remains for the department to stem the tide. Hence the earlier serious action is undertaken the better.

A series of incidents involving the kidnapping-cum-rape (and sodomy)-cum-murder cases of minor girls in Kasur between 2015 and 2018 had shook the country to an extent that everyone was up in protest and calling for justice; this turned into a roar after the latest incident which occurred on the 4th of January, 2018.

This case study covers the last incident, especially detailing how the case was worked out, by blending conventional and non-conventional out-of-the-box policing techniques, some of which were used for the first time in Pakistan. The study narrates, how the evidence that was available to the national media in an uninterpretable form was finally interpreted by the Joint Investigation Team (JIT). This was truly a case of finding a needle in a haystack. It was for the first time that in the history of Pakistan that a criminal case was worked out while blending DNA and census database analysis.

⁹ <http://www.companydirectors.com.au/director-resource-centre/publications/company-director-magazine/2012-back-editions/october/feature-thinking-outside-the-square> (accessed on 11 December, 2021).

¹⁰ <https://www.lifehack.org/articles/featured/11-ways-to-think-outside-the-box.html> (accessed on 11 December, 2021).

¹¹ <https://twitter.com/Punjab13to18/status/951126183390957568> (accessed on 11 December, 2021).

It was also a case where the highest offices of both provincial and federal governments had become involved. As it later became known, the perpetrator had been caught and set free at least twice by the police after the incident; he had been identified several times by the locals before the start of series of incidents in 2015, and yet these clues had not been shared by anyone.

The case is also unique in a sense that it was tried in court during the shortest period possible and ended in a conviction that finally led to the perpetrator being executed on 17th October, 2018 at *Kot Lakhpat* Jail, Lahore – in just over nine months. If not the most widely followed crime incident, it certainly was one of the most intensively media covered cases in the history of Pakistan. It was trend setter for the police in terms of using unconventional means for working out serious cases. Finally, it was a case in which there was the least interaction of the JIT with the media – and one with the greatest focus on work rather than playing gimmicks to assuage public opinion.

The Scene Setter

On 11th January, 2018, a Thursday afternoon, Regional Police Officer (RPO) Multan, Deputy Inspector General of Police (DIG) Muhammad Idrees Ahmed had applied for two days leave (Friday and Saturday), so as to attend a family gathering the next day to celebrate his daughter's passing her 1st Professional Examination of medical school (MBBS). Upon finishing office work, he had left for Lahore on Thursday afternoon, rather enthusiastically, and reached there around 9:00 pm. He had not even entered his house when his phone rang with a call from the provincial police chief, the IGP¹² Punjab, informing him that the government had notified him under Anti-Terrorism Act 1997 (ATA), as Convener of the Joint Investigation Team (JIT) to probe into the Kasur incident, in which a 6-year old girl had been kidnapped on 4th January, 2018, and later after being raped, sodomized and murdered, her dead body had been recovered on 9th January, 2018.¹³

Without realizing that he had allowed him two days off work, the IGP wanted DIG Idrees to reach Kasur at first light the next morning. The IGP further told him that this was a make or break case for Punjab Police and had to be worked out at any cost, since there was apprehension that it was linked to the series of seven or eight incidents that had been pending unresolved since 2015. Hence DIG Idrees had no other option but to reach Kasur early on 12th January, 2018, while asking his wife to look after the family gathering at Lahore. Life had extended him the opportunity to try and work out one of the most significant cases in the history of the country, a case in which at least two AIGs Investigation, Punjab and numerous other officers of Superintendent of Police level¹⁴ had failed in past three years.

¹² Inspector General of Police.

¹³ The formal JIT notification was issued on 11.01.2018 and can be seen at Annexure "A".

¹⁴ The police hierarchy in Pakistan starts with the Inspector General of Police at the top of the structure in every province and moves downwards through Additional, Deputy, Assistant inspectors general of police and below then

Background Information

Kasur had in recent past experienced child pornography incidents which had invited considerable criticism against police inefficiency. Although the gang had been busted but the outcome had remained poor. While the policing process had proceeded through arrests, interrogations, court indictments (locally called “*challans*”) and prosecution, all this had not ended in solid evidence based convictions which could stand the test before higher judiciary during appeals. In the latest Zainab case, the same perpetrator involved in similar acts since 2015 was suspected and the incident was at least the ninth one that had been registered.

Since the start of these incidents, the first of which was registered on 23.06.2015 in PS Saddar Kasur, the local police had kept treating these as isolated cases. They were just following knee-jerk reactions and attempting to placate the most concerned families of victims and mollify the locals. When things were about to boil over after the third incident, the local police had resorted to the extra-judicial killing of a suspect on 24.02.2017, believing that this subterfuge would silence the apprehensions of the people.¹⁵ However, much to their misfortune – and in spite of a possible innocent death – as the real target had slipped away, the incidents continued unabated, and soon increased in frequency. It appeared as if the real criminal involved had seen through the poor and ineffective working ability of the local police and had decided to enhance his criminality with an amplified frequency. Keeping with their usual *modus operandi*, the family of the deceased Mudassar who had been killed in cold blood had also been silenced through some “palm greasing” and an “out of court” settlement of sorts by the local Station House Officer(s) (SHOs) and Sub-Divisional Police Officers (SDPOs).

However, the undiminished perpetuation of the incidents, especially at dusk, sensitized the IGP office as well as the provincial government, who responded by adding section 7-ATA (Anti-Terrorism Act) to these incident reports, as these were not only gruesome in nature but did actually terrorize communities.

The responsibility of working out these cases was given to two senior police officers responsible for supervising investigations at the provincial level, i.e. Additional IGPs Investigation (AIGPI) Punjab who were also made convener of JITs. Already having more than their share of work-loads at their own offices located at Lahore, these officers could find little time to devote to working out cases occurring at Kasur. Other than just a few erratic visits to the district, they just made some conventional efforts. First they started asking the local police to come up with lists of suspects during their visits; after interviewing the suspects who had been rounded up, they would get some of them to undergo DNA testing. Since local police had also been passing the buck around while bringing the suspects without employing any professionalism, no match

Superintendents and Assistant Superintendents of Police; below them are the Inspectors, Sub-Inspectors, Asst. Sub-Inspectors, and Constables.

¹⁵ <https://www.dawn.com/news/1386066> (accessed on 15 December, 2021).

became possible while working with close to 100 tests that had been sent to the Punjab Forensic Science Agency (PFSA), Lahore. Another step initiated by the conveners of these JITs was to ask the local police to get CCTV cameras installed at some places of potential interest so that the culprit could be spotted and identified with the help of locals; in this process, the made use of the provisions Punjab Security of Vulnerable Establishment Act, 2015. They also made ‘decoy deployments’ that included female police officers, especially at dusk, to attempt catching the person involved. However, both these steps were taken as routine policing. Hence, the CCTV cameras that were installed were of poor quality and the decoy deployments were only on paper.

With every new incident, the government would come up with notifying a new JIT under the same AIGPI Punjab as convener; the process would begin anew so that the local police could show off to the locals that they were going the extra mile to work-out the case(s) and apprehend the criminal(s) involved. Even, the local police never gave an impression to others or themselves considered that it was just one perpetrator who was involved in the series of incidents, the number of which was now approaching a dozen.

Narrative

To maintain interest and flow, the following narration is built up in 11 scenes

Scene 1

In the city of Kasur, one 6-year old girl Zainab had gone to the house of her maternal grandmother located on a local street about 200 meters from her house on a winter evening (04.01.2018) at around 07:00 pm along with her 4-year old cousin for a *Qur'an* lesson. The road between her house and the house of her maternal grandmother was a busy street occupied by people throughout the day and till late hours. Her parents had gone to offer *Umra* (the lesser pilgrimage in Makkah) and her paternal uncle was taking care of the three children (Zainab, a brother and a sister). At about 08:15 pm, her cousin returned home but without Zainab. Upon being asked he intimated that while going towards her maternal grandmother’s house, she had gone straight whereas he went on to take his lesson. With more than ten incidents of kidnapping of minor girls reported in the city since 2015, all of which happened close to twilight, the family was concerned over the absence of the girl.

All of the children missing earlier had been subjected to rape or sodomy and killed or seriously injured. With these activities of a serial kidnapper cum rapist and murderer, the city had been on a heightened level of panic in recent past. A recent unofficial confirmation from PFSA had suggested that the DNA of just one perpetrator had been identified from the vaginal / anal swabs of at least eight such victims in the series of incidents that were spread over at least three police stations of the city. Naturally being upset, the paternal uncle of the girl searched for her at the maternal grandmother’s

house; upon his inability to find a clue, he called the police at the emergency response Rescue 15.

Scene 2

Rescue 15 of Kasur, received a call from a person at 09:30 pm on 04.01.2018 who reported the missing status or possible kidnapping of a girl. The local police was immediately dispatched to the place of occurrence. District Police Officer (DPO) also visited the area and placed his force both in uniform and civvies to search for the missing girl. He called the office in-charge of the decoy deployment to know if he had come across any clue, but to no avail. The local police registered a case of child kidnapping u/s 363 Pakistan Penal Code (PPC), as there was a strong apprehension that it might be the act of the same serial criminal.

Scene 3

Some 10 incidents had occurred within the Area of Responsibility (AOR) of the three city area police stations of the district over the past two and half years. In all of these, the kidnapped minor girls had been recovered, either dead or seriously injured from within an area of 0.5 km² from the point where they had been picked up – and within couple of hours – in either under construction or abandoned houses or from sites where debris had collected. Accordingly, the local police as well as area residents started to search for the girl in close vicinity to the point of her disappearance. All the past victims had been molested sexually and only three had survived the act. However, none had been able to identify the accused involved due to their tender age and the horrific act which they had undergone. One such victim (*Kainat Batool*) had become paralyzed and mentally retarded for the rest of her life – and still languished in a hospital.¹⁶ Almost all victims came from poor to lower middle class financial backgrounds – a fact that could have been a possible lead. All such incidents had occurred close to twilight. Unfortunately, more than two hours had elapsed since the girl went missing before the crime had been reported to Rescue 15. Hence there were chances that if girl had been kidnapped by the same serial kidnapper-rapist-killer, the inevitable would have followed.

Scene 4

One day had elapsed since the girl had gone missing. The local police had placed police officers/officials¹⁷ in uniform in the busy street of the house of the missing girl. Half-heartedly, some police officials and locals had also tried to search the girl in nearby debris heaps spread over several acres as well as in under construction or abandoned

¹⁶ <https://www.geo.tv/latest/191781-seven-year-old-kasur-rape-survivor-still-under-treatment> (accessed on 15 December, 2021).

¹⁷ The distinction between “officers” and “officials” is a classical case of post-colonial rank-based discrimination: the “officers” are those functionaries who are in or above grade 17 in a 1-22 grade system while “officials” are below grade 17.

houses, but to no avail. The parents of the girl who were in Saudi Arabia were informed about the unfortunate incident; they were unable to return due to non-availability of a flight. Police officers brought along chairs and whiled away their time sitting in the busy street, eating oranges and peanuts and throwing away the peels and further messing up the road side. They were also seen and heard chatting with each other and loudly cracking jokes. This too was annoyingly noticed by family and friends of the still missing girl: *the police personnel hardly seemed to be sensitized about the bombshell that just lay underneath their feet.*

In the meantime friends and family of the missing minor had become active; they were trying to search for clues by checking CCTV cameras installed close to the house of the maternal grandmother of Zainab. One such CCTV camera possibly showed the missing girl following an unidentified person at the time of incident. Further tracking of such CCTV cameras exposed a couple of other footages which probably showed the girl walking along with the unidentified person, initially independently and later holding his finger for at least 25 minutes before disappearing in the last footage some 2.5 kilometers from her home. Unfortunately the quality of all CCTV camera was very poor and it was hard for even the close relatives of the girl to identify her, had it not been for her clothes and matching of the timing.

As noted above, when such incidents had started taking place in the city in the recent past, the local police had resorted to get a few CCTV cameras installed at important places; however, there had been no effective follow-up. The quality of imaging captured by the CCTV cameras was not of much concern to either the police or the owners of premises who had installed the substandard cameras – more by way of getting to comply with the police directives and getting them off their backs. Hence everyone was now paying a heavy price, as it was hard to identify the missing girl or the person accompanying her. Even the decoy deployments that had supposedly been made at sundown had failed to generate results. The local police had failed miserably in working-out things responsibly and in a professional manner. This had brought the city to a proverbial boiling point. The two JIT heads (AIGPI Punjab) had also failed to help the local police in their task.

Scene 5

Over the next two days, the focus of search had shifted from the busy street where the girl had gone missing to the area where she had been last spotted in the CCTV footage along with the possible kidnapper some 2.5 kilometers away. Many under construction houses as well as debris collection points were searched but to no avail. The enthusiasm of the public as well as local police kept declining with every passing day. The DPO had failed to take up the investigation in a professional manner and was merely taking this as just another case in the series. *Perhaps he was also hoping that – as in the past – things will pass over and people will forget soon.* The people, for their part, had started to believe that since contrary to past experience, no dead body had been

recovered and as the quality of the CCTV footages did not clearly show the girl in an identifiable form, hence she might be safe at some place or might have lost her trail to house. Even the family of the missing girl had started *hoping against hope*. The parents of the missing girl were still in Saudi Arabia waiting for their scheduled flight back. The local police, sitting idly in the busy street of the missing girl, were still annoying the public with their clumsy presence.

Scene 6

On the fifth day of the girl having gone missing (i.e. Tuesday the 9th of January), at around 12:30 pm, the local SHO while searching through a debris heap located some 500 meters from the busy street where the girl had gone missing found the dead body a minor girl lying face down between a pile of coloured plastic shopping bags. The body was draped in clothes matching the description of bright coloured attire that the missing girl had been reported to be in when last seen. The clothes were still neat and clean and without any wrinkles; the dead body appeared to be of a person about the same age as the missing girl. However, the face was not exposed and no one was allowed access close enough so as not to compromise the crime scene. The trouser of the girl had been pulled down slightly from the buttocks and the dead body did not show any advanced signs of putrefaction. Fortunately, the body was in one piece and no animal bites were seen as would have been likely if it had been there for some time. The news of the recovery of a missing girl's dead body spread throughout not just the town but far and wide like a jungle fire. People, including the paternal uncle and relatives of the missing girl, started to gather at the recovery point. However, the local SHO managed to keep the public away till a satellite team of PFSA had reached. After collecting all possible circumstantial evidence, and completion of crime scene photography that marked the crime scene including placement of dead body, it was shifted to the District HQ (DHQ) hospital for a post mortem examination and completion of the formalities u/s 174 Criminal Procedure Code (Cr.P.C.) by the Investigation Officer (IO). The uncle of the missing girl also identified the dead body.

Soon an angry crowd gathered outside the DHQ mortuary and started chanting slogans against local police as well as the government. As the police had gone on the defensive, the doctors at the hospital were also quite apprehensive of the developing situation. The postmortem was carried out by a young Woman Medical Officer (WMO) who did not have any experience of conducting postmortems. Unofficially, she was being assisted by the Medical Superintendent (MS) and the District Health Officer (DHO), both males, who while being fairly experienced were raw hands as far as forensic medicine was concerned and not entitled to see a naked female dead body. However, in order to cover-up her lack of knowledge, the female doctor took a few pictures of the dead body to serve for future reference. By late afternoon, the dead body had been handed over to the family, who brought it home. The burial was performed the next

morning (Wednesday) after the funeral prayer had been led by a known religious scholar.¹⁸

Scene 7

After recovery of the dead body, panic had ensued amongst not just the local PS staff including the SHO but also the upper police command. The SHO was directed to work out the case at any cost – but, unfortunately, without any guidance extended by the local command. As the media had blown up the situation, the provincial government, with its own defensive stance, had taken notice of the long series of serious incidents which the local police had been unable to work out. The PFSA had previously confirmed to the provincial government, albeit unofficially, that just one serial perpetrator had been involved in at least seven to eight previous incidents within the jurisdiction of three police stations of the city. It was apprehended that this incident was a continuity of those crimes.

In order to show some progress to their seniors, the local police had haphazardly rounded up some two dozen persons from the area. In the night, two of those apprehended were set free after they exhibited poor health: one was set free due to his urge to get his (narcotic) drug shot whereas the other one, though young, had complained about experiencing chest pain in the lock-up. Yet, no interrogation report what so ever, was generated.

The next afternoon, after the burial, the mob exhibiting uninhibited rowdiness tried to enter the office of the Deputy Commissioner located in another Police Station's jurisdiction. As a consequence, the law enforcement personnel opened fire that resulted in the killing of two and injuries to several persons.¹⁹ Media, opposition and independent groups highlighted the incident as poor performance of government. The shift from blaming the local police to criticism of the provincial government was now in full swing. Section 7 of the ATA was added to the case already registered on 04.01.2018. Coming under extreme pressure, the provincial government notified a JIT under AIGPI of the province (the same officer who had been heading other JITs formed over the past seven to eight months to investigate the cases perpetrated by the same serial rapist- cum-killer).

In the meantime, the parents of the unfortunate girl had also landed back and reached home. In order to placate the media as well as pacify the general public, the Chief Minister Punjab, accompanied by the IGP, visited the house of the victim after dawn on the second day after recovery of the dead body (January 11th 2018). On the demand of the father of the girl, the Chief Minister decided to change the JIT's convener. As a result, names of potential candidates for heading the JIT were collected through various

¹⁸ <https://dailytimes.com.pk/178056/kasur-two-dead-protests-tahir-ul-qadri-leads-zainabs-funeral-prayer/> (accessed on 16 December, 2021).

¹⁹ <https://tribune.com.pk/story/1606568/chaos-kasur-third-day-running> (accessed on 17 December, 2021).

agencies and the IGP Punjab. This led to the RPO Multan, Mr. Muhammad Idrees Ahmed, being notified as head of the JIT two days after recovery of the dead body (notification dated 11.01.2018 is at Annexure “A”).

The IGP talked to the new convener and told him that the case had to be worked out at all costs. The new convener reached the city at first light on 12.01.2018 and established his office at the office of the SP Investigation. This was the third day after recovery of the dead body of the minor girl Zainab.

Scene 8

One day after the post mortem and burial (as well as the violent mob attack), the female doctor issued a postmortem report, which may be seen at Annexure “B”.

Scene 9

The new JIT head Mr. Idrees visited the father of the unfortunate Zainab along with the IGP on the evening of his arrival – the third day after recovery of the body – and assured him that no effort would be spared in resolving the case.

Setting out to the task immediately, Mr. Idrees associated one person from unfortunate family with the JIT in order to generate confidence and ensure sharing of any new knowledge that may be of interest to them. Details of the entire route and CCTV footages were collected. The 2.5 kilometer long trail was covered on foot by Mr. Idrees. Maps were drawn to show the full trail of the CCTV footages as well as the area from where the body had been recovered. The debris heap from where the body had been recovered was also visited. On the same map, past incidents, possibly from the same series, were plotted to bring out greater clarity. The last footage showed the girl accompanying the perpetrator some 2.5 km from the place of kidnapping, whereas the location from where dead body was recovered was located just around 500 meters from her house. CCTV footages did not show any reverse movement of either the girl or the perpetrator. A Deputy Superintendent of Police (DSP) was also notified as part of the JIT to assist in writing of case file and preparation of the *challan* u/s 173 CrPC. A long list of questions to serve as the basis of the probe was developed; it included following lines of inquiry:

1. Had the girl been raped and murdered on the same day that she had been kidnapped? If yes, why did the postmortem suggest otherwise? If not, why were all the injuries ante-mortem?
2. Why were the clothes of the girl wrinkle free at the time of body’s recovery and the postmortem examination?

3. Had the girl been molested at the place from where dead body was recovered or had the body been dumped there later? If the sexual act was committed at some other place, how and when was the body transported to debris heap?
4. Why had sexual acts been committed both in the anal and vaginal cavities, especially if it was just one perpetrator, as indicated by the DNA extracted from both sites (according to the forensic report)? Were both cavities abused at the same time or at different times/ on separate days?
5. Why was the dead body lying face side down?
6. Was there any codified message in the depression caused by the laying of the dead body?
7. Why were the vaginal and anal tears on the posterior side alone?
8. Why did the unknown criminal choose to take girl 2.5 kilometers away while the dead body was found only half a kilometer away from her home?
9. How well versed was the criminal with the general area? Was he a local of the area or an outsider?
10. Why was no one able to identify the criminal despite having watched the footages?
11. Was the perpetrator suffering from some mental or other disorder?
12. Was there any role of black magic or spiritual charmers in the act?
13. Could there be any co-relation between the incident and the dates of the lunar cycle?
14. Was the victim girl known to the perpetrator (as she had walked comfortably a long distance with him)?
15. What should be the course of action that would yield certain results?
16. How long would be needed to work out the case?

The main question before Mr. Idrees and his team was with regard to the resources that would be required to solve the crime? There was an additional question also: if the case could not be proceeded against with conventional policing techniques, should they try with non-conventional policing techniques. After all, *to gain something one never had required something that never before had been tried.*

Scene 10

Incidents similar to this had taken place over the past three years and, thus far, the local police had not been able to identify the serial criminal involved. As a result, Mr. Idrees was faced with a gigantic challenge for devising a strategy so locate the perpetrator who was either very naïve or too smart, as he was leaving his DNA signatures all over. While he needed to adopt some *out of the box solution*, at the same time, this new strategy could not undermine conventional policing steps required to be taken. A list of conventional and innovative policing techniques employed in working out the Zainab case appears at Annexure “C”.

Mr. Idrees knew that around a year back, the National Census had been conducted throughout the country, but its data had not been released; he called the local census officials to learn the precise data needed to figure out each the presence of every person present within a radius of three kilometers from the epicenter of the eight or nine similar incidents attributed to the same serial criminal. The data required involved some 19 census blocks which translated into a population of about 400,000. As Federal Secretary responsible for the census data had declined to share the same, the CM Punjab was asked to play his role and the needful was done within 36 hours. The strategy was to screen out each and every individual enrolled in census data within the extensive 3-kilometer radius and call only those meeting certain criteria for DNA testing. Based on the CCTV footages available and severity of the act, the criteria developed with the help of experts includes the following:

- (i) male (women, children, teen and elderly were excluded),
 - (ii) able bodied, grown up, strongly built, broad shouldered,
 - (iii) wheatish complexion,
 - (iv) age between 22 to 30/35, around 5’-7” tall,²⁰ beady eyes (small),
 - (v) fully grown mustaches and beard, opened lips, at least no physical deformity in his left hand; a normal gait,
 - (vi) wearing a jacket with buttons on the shoulder and back on neck
1. The original census team members (30 in all) were assigned to visit each household along with 2-3 police officers; every team comprised 5-7 officials. The teams were to personally meet / see each every person.
 2. While exercising exclusions, they had to bring along only those meeting the criteria for DNA profiling to the SP Investigation office, (the process of exclusion followed is explained at Annexure “E”).
 3. Dedicated PFSA teams were placed in the SP office; for every person of interest, a one page Interrogation Report was to be generated.

²⁰ height measurement process of accused is explained at Annexure “D”.

4. The entire exercise was to be completed in 7 days.
5. To give confidence to the general public, the victim's family was requested to get the DNA testing of all their near and dear ones fulfilling the criteria; this was done on the first day – and more as a dry or practice run. However, since the show was organized by the local police (not the JIT) on day one, hence some of those brought in got away without getting their DNA profiling done despite entering the premises.
6. Public announcements were made through loudspeakers by family members and neighbours; locals also came out to assist.

Scene 11

On the fifth day of the systematic exercise for DNA sampling, one young person was brought in from his house located some 500 meters from victim's house. After extraction of buccal swab sample (DNA sample No. 874), he appeared to suffer a heart attack. Earlier, he had also claimed to have undergone the testing on the first day of the practice run conducted through the local police. However, the DNA database developed (on CNIC basis) could not justify this claim. It transpired that those on duty had immediately allowed him to leave for medical attention without generating the required one-page *interrogation report*. This case of a young man suffering a heart attack was not reported to the JIT head until next afternoon when a discrepancy in the figures of those brought in for testing and those who actually underwent the DNA profiling was reported (as the tally of tests and interrogation reports generated that day did not match). Further surveillance revealed that the person was a labourer aged between 23 and 24 and used to work for construction of houses. Upon checking, he was reported to be hale and hearty at his residence (in spite of the earlier reported incident). Hence he was picked up for interrogation on the directions of the JIT head the next day.

During preliminary interrogation, he admitted to the act of taking the girl for someone else; during later investigation this proved to be wrong.²¹ He was the sole culprit involved. As reported by PFSA, his DNA matched 100% (at all 16 loci). A formal arrest was made. That was on 23rd January 2018. A press conference was convened by the CM Punjab along with Zainab's father to break the news to the media. The rest – interrogation, indictment ('*challaning*'), prosecution and pronouncement of the verdict from the Anti-Terrorism Court and the higher judiciary – is, as they say, history.

Accused Imran Ali was hanged on 17th October 2021 after his mercy petition was turned down by the President of Pakistan and his black warrant had been issued. (The detail of various courts decisions is given at Annexure "F").²²

²¹ <https://www.geo.tv/latest/178449-zainab-murder-suspect-imran-used-to-lure-victims-promising-to-buy-sweets> (accessed on 21 December, 2021).

²² <https://www.bbc.com/news/world-asia-45885686> (accessed on 22 December, 2021).

Analysis

1. Why the Event Transpired

This violent act transpired because of the evil desire of the accused to serially kidnap, rape and murder minor girls. He had been involved in this nefarious activity for over four years. The accused had initially started visiting prostitutes, but as he did not earn enough to support his lust and because the elderly women provided little pleasure to him, he turned towards minor girls who were otherwise available without spending anything. During his two initial unsuccessful endeavors, he was caught by the families and friends of the minor girls, yet he was set free after being abused and without being reported to police.

After the extrajudicial killing of Mudassar in 2017 by local police to support the claim that the perpetrator involved in these acts had been killed, the accused Imran Ali realized that the police was incompetent and could not catch him. That gave him impetus to push further with his malicious activity at a higher frequency. Hence the incidents kept on increasing with lesser intervals in between. That accelerated growth in incidents was a serious point of concern for the locals, who had started to agitate the issue. Finally after two agitators were killed by police firing when a protesting mob had protested after the burial of the Zainab, the CM Punjab had been forced to ensure that a strong professional be assigned to work out the incidents before further damage.

2. The Complications of the Case

Working out this crime was not all that simple. The serial incidents had been taking place over three years with impunity; the frequency had gone up to an extent that the perpetrator had started to undertake his venture every couple of months. The last such act was committed by him only 50 days back in the AOR of the same PS (*less than seven days after the death of his father*). Some of the challenges in working out this case are as under:

- (a) The district police chief had been shifted out after the incident; the new one had no background knowledge of the area.
- (b) The incident was the most covered one in the recent media history of Pakistan; the media was hyping up the matters for its own ratings.²³ The JIT did not have any time to waste in interacting with media and instead needed to work out the case within shortest possible time.
- (c) The local police had not been able to seek out the same serial kidnapper in the past three years, creating a serious aspersion on its performance. The main reasons for

²³ <https://www.dawn.com/news/1398484> (accessed on 25 December, 2021).

the failure of the local police was their lack of seriousness that had led to inaction and their lacking public trust. By the time of the Zainab case, the interval between the incidents was narrowing down. Shabby police presence – just sitting around and the cracking jokes – and acting aimlessly and unprofessionally was the real barrier and a serious breakdown of governance could have been ignited anytime.

- (d) Although the locals had caught the perpetrator Imran Ali twice – even before 2015 – but they had ever this reported to police.
- (e) In order to show a false success, the local police had killed an alleged criminal (Mudassar) in an “encounter” in 2017 and linked him with the first three or four cases; he was later found to be innocent. This incident had also promoted inaction amongst the local police. Public trust was also missing, as two innocent persons were killed during the agitations at DC office on 10.01.2018.
- (f) *Suo motu* notices were taken by the Supreme Court of Pakistan (SCP) and Lahore High Court. The head of the JIT was called twice by SCP to tender reports, while time was of the essence.
- (g) The Women’s Medical Officer had stated that the dead body was only 2-3 days old at the time of postmortem, whereas the girl had been missing for almost five days (116 hours); this also posed a serious challenge in working out the case, as were the lack of advanced putrefaction and animal bites on the dead body. Vaginal and anal tears were on posterior side with one seminal DNA located from both, and all injuries were ante-mortem. All these facts seemed to make it impossible for one perpetrator to perform the sexual act at different times. It was imperative to connect the missing threads and also to bridge the disconnects between the post mortem and other findings.
- (h) The previous JITs headed by two senior (pay-scale 21) officers had been unable to work out the serial criminal involved. It seems that they had more serious business at respective offices and neglected this case.
- (i) Electronic surveillance through CCTV and geo-fencing did not provide any lead. The IOs had nothing to offer. The criminal involved was required to be looked at from a new approach, which was missing before the latest JIT had been convened.
- (j) Media, government or pressure groups were not ready to give the team much time, which made it imperative for the JIT and the provincial police to work out the case in no time.
- (k) No independent witness was available and the CCTV footage was very poor.

- (l) Devising a trouble free connection between the census database and the DNA was a task; if the case had been handled professionally earlier by matching the same identifiable markers against census data over a spread of three kilometers' radius from its epicenter with a population of 400,000 in three police stations, quicker resolution would have been possible. This out of box approach required confidential information of the last census which in turn needed a push from an office no less than that of the chief executives of Punjab and the Federation. Census data of 400,000 persons required printing 50,000-60,000 pages, but effective segregation and assortment for assigning dedicated teams to undertake the searches helped a lot.
- (m) CCTV footages showed girl moving a distance of some 2.5 km from her place of kidnapping along with the criminal of her free will, whereas her dead body was recovered from debris heap located some 0.5 km from her home. This posed a formidable challenge towards working out a possible place where the girl was kept before her body brought to the debris heap. The clues being offered by the depression under the dead body, its placement, neatness of the clothes could also have offered clues.
- (n) Extracting information out of poor quality CCTV footages was a serious challenge (as the PFSA remained unable to enhance the quality); this did not assist in identification and arrest of the accused, and would not have been valid evidence in courts of law.
- (o) Preventing the next incident was another real challenge. The only acceptable solution was the arrest of the culprit. With poor quality CCTVs installed, poor decoy deployment, and a large number of targets (girls belonging to lower middle class), this was not easy.
- (p) After the arrest, the next challenge was not one of simple indictment ('*challenging*'), but of procuring a conviction in the absence of an ocular account and reluctant attitude of the father of the deceased girl.
- (q) To gain cheap popularity, a popular TV anchor (Dr. Shahid Masood) had invented his dark web theory, in which the accused was operating a pornography ring and was actually a billionaire having hundreds of bank accounts for his money transactions. This resulted in wastage of three days to scrutinize this claim.

Conclusion

This case was a highly challenging one and a make or break situation for the police department. Fortunately, the team was able to successfully work out and identify the perpetrator by undertaking an out-of-the-box approach, thereby providing Punjab police with a face saving. It offers a wide range of lessons for departments and society

at large to address issues in unconventional ways and adopt a proactive approach in dealing with such challenges.

In the end, the effort was highly rewarding, not only for the persons involved in working out the case, but for the police and the community as a whole. The main takeaway was the lesson that *extraordinary challenges required an extraordinary effort*. A criminal who was active for three years, was worked out, arrested, challaned and got convicted mainly because of adopting the out of box approach by MIA. The rare combination of using census data and DNA profiling was used to work out the crime, that too without the assistance of any of intelligence agencies. The main lessons learnt include the following:

- (a) In order to dedicate more time to professional work and avoid needless entanglements, the media was neither engaged directly nor through press briefs, which left space open for speculation. In this respect, the reliance was placed only on the Punjab government. The media did undertake certain speculations that could have been averted by interactive briefings. However, the police should have a dedicated media department staffed by professionals.
- (b) The running of speculative programmes by Dr. Shahid were not countered; this resulted in the passing of stricture by the SCP that in case of extra-judicial killing of the accused, the IGP would be personally responsible. This made IGP extra conscious regarding security of arrested accused, making his interrogation cumbersome.
- (c) As the case was a make or break one for the Punjab police, the team lead did all planning himself which consumed precious time. Given an opportunity, planning of conventional steps could have been delegated to appropriate persons while the team lead could have focused on the non-conventional aspects. Police officers need to be trained in working out challenging crimes that can have major repercussions for the government.
- (d) In the period leading up to his arrest, the frequency of committing offences by accused had increased. Any further repetition would have been detrimental for the team lead, especially at a time when the local police was displaying complacency. Given an opportunity, effective measures should be made for the improvement in the quality of CCTV surveillance in urban areas – even when installed with private assistance.
- (e) Society has learnt the use of media to force the government to take action on genuine demands. In the present case, although several parents had lost their daughters, yet it was only the collective effort by media that had forced

the government to put all resources to work out the crime.²⁴ Law makers had also realized the importance of the issue and came up with Zainab Alert Bill in 2019.

- (f) The Anti-Terrorism Court announced the conviction and awarded the death penalty to the accused after only six (06) days of trial – almost certainly the shortest in the history of the country. The appeals made by the accused before the LHC and SCP were rejected on merit and his mercy petition before the President of Pakistan was rejected. Hence Imran Ali was hanged till death on 17.10.2018, within 10 months of his arrest, due to effective team work, which left every one wiser after the coordinated effort.

Recommendations

The apprehension of Imran Ali was as difficult as it was to ensure his conviction. In policing, it is said that all steps entailed in controlling crime are equally important. These include identifying the accused, effecting arrest, interrogation, bridging the clues to complete the jigsaw puzzle, submitting the *challan*, prosecuting effectively and ensuring conviction. Any break at any of these steps can make the achievement of final goal, i.e. gaining conviction, impossible. In this case, both conventional policing and non-conventional techniques were employed. Some of the recommendations in averting such breaks are as under:

- (a) Departments like Police should have a mechanism for moving outside the box / comfort zones; capacity building in this regard should negate apt knee jerks; seniority and experience of the team lead conducting investigation can only matter, if s/he is able to think outside the box.
- (b) Creating community trust is possible through community policing and effective documentation; locals residents should be educated not to take things for granted; even seemingly trivial incidents should be reported to the local police;
- (c) In working out cases, resources do matter, but after only after a strong plan.
- (d) Creating a criminal database can be a great help in pursuing crime.

²⁴ <https://www.geo.tv/latest/178449-zainab-murder-suspect-imran-used-to-lure-victims-promising-to-buy-sweets> (accessed on 21 December, 2021).

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Identifiable features of the accused workout by MIA and his team while carefully studying the poor quality footages procured during investigation.

Annexures

Annexure “A”

JOINT INVESTIGATION TEAM NOTIFICATION ISSUED VIDE HOME DEPARTMENT’S NO. SO (JUDL-III) 11-KASUR/2018 DATED 11.01.2018 THROUGH WHICH MIA WAS NOTIFIED AS CONVENER TO THE JOINT INVESTIGATION TEAM OF ZAINEB CASE OF KASUR

 **GOVERNMENT OF THE PUNJAB**
HOME DEPARTMENT
Dated: Lahore, the 11th January, 2018

CORRIGENDUM
ORDER


No. SO (JUDL-III) 11-Kasur/2018. In pursuance of the request made by Inspector General of Police / Provincial Police Officer Punjab vide letter No. 633/ Inv / HA dated 11.01.2018 and in exercise of powers under Section 19 (f) of Anti-Terrorism Act, 1997, the Convener of Joint Investigation Team (JIT) constituted vide this department's order of even number dated 10.01.2018 to conduct and finalize investigation in case FIR No. 06/18 dated 4.01.2018 is substituted with Mr. Muhammad Idrees, Deputy Inspector General of Police / Regional Police Officer, Multan Region.

MAJ. (RETD) AZAM SULEMAN KHAN
Additional Chief Secretary, Home

No. & Date Even

A copy is forwarded for information and necessary action to:

1. The Provincial Police Officer/ IGP, Punjab, Lahore w/r to their letter referred above.
2. The Additional Inspector General of Police, Special Branch, Punjab.
3. The Secretary, Public Prosecution Department, Punjab, Lahore.
4. Members of the JIT.
5. Regional Police Officer, Sheikhupura Region.
6. Deputy Commissioner Kasur.
7. District Police Officer, Kasur.
8. PSO to Chief Secretary, Punjab.
9. PS to Additional Chief Secretary (Home), Punjab.


(ABDUL GHAFFOOR) 11.1/18
SECTION OFFICER (JUDICIAL-III)

Annexure “B”

POST MORTEM FINDINGS IN THE CASE OF THE ZAINEB AMEEN RECORDED BY DR. QURATULAIN, WMO, DHQ, KASUR DATED 09TH JANUARY AND 16TH JANUARY, 2018

One day after post mortem and after burial / rowdyism of the mob, the female doctor issued the postmortem report, which would run as under:-

Description of injuries:-

“(No ligature mark seen) around neck. External Genitalia's are stained with the blood from front side and fecal matter was coming out. Eyes closed and mouth semi opened (small amount of clotted blood in right nostril and on the lower lip).

The black mud is present on the right side of the face. The postmortem staining was present. Anterior abdominal wall was greenish, tongue is protruding out from the teeth.

Hyoid bone fractured, the muscles attached were congested with blood ooze from the neck muscles on dissection”.

All injuries were termed as “ante-mortem”, with time between injury and death “almost immediately” and the time between death and postmortem “2-3 days”.

Postmortem / Final Opinion (by WMO on 7th day of postmortem after having received FSA report):-

Regarding Toxicology:- *“Drugs and poisons were not detected”.*

Regarding death:- *“Asphyxia due to throttling, which is sufficient to cause death in ordinary course of nature and caused by blunt weapon”.*

Regarding sexual assault:- *“Hymen is ruptured (torn). Swelling is present around labia minora. Posterior vaginal tear is present extending up-to 3cm. Swelling is also present around the anus. A tear measuring 1/2cm x 1cm is present at 8 O'clock position. From the foregoing observations I am of the opinion that both rape and sodomy has been done”.*

Annexure “C”

LIST OF CONVENTIONAL AND NON-CONVENTIONAL TECHNIQUES EMPLOYED IN WORKING OUT THE ACCUSED OF ZAINEB AMEEN CASE

Conventional Steps

During the course of investigation, following routine / conventional police investigation steps were employed:-

1. Past record of police, Jail and health department were scrolled through
2. Ground surveillance teams were put in place
3. Mobile Data analysis (Call Data Record – CDR) was undertaken
4. Geo fencing was done (traffic of more than 24,000 numbers were analyzed)
5. Public requested to share information (Rs.10 million announced as reward leading to the arrest of the one involved)
6. Decoy deployment to avert next incident was made at important places
7. CCTV installed at various places were got checked for their operation the quality of the footage
8. Following databases are being searched to work out those present or missing from the affected areas to further trace the criminal involved:-
 - I. Pictorial NADRA data for the Tehsil Kasur
 - II. Pictorial Traffic licenses data issued since 1st September, 2015
 - III. Voter lists from last election 2013
 - IV. Criminal database of the district as well as the Prison department (u/s 376/377/302/363/511 PPC)
 - V. Scrutiny of hotel lodgers through “Hotel Eye”
 - VI. Immigration record from FIA after date of incident
 - VII. AIDS infected persons from DHQ
 - VIII. Labour points (eight in number in the city)
 - IX. Workers at Graveyards and the residents at shrines, etc.
 - X. Other related persons surveilled through included labourers, masons, theurgist / charmers, *malangs*, unsound minds, balloon sellers, vagabonds, nomads, drug paddlers, cable operators, milk sellers, hawkers, contractors, ice cream sellers, shop keepers, meter readers, baggers, sweepers from slum areas, rickshaw drivers, barbers, truck drivers, petrol pump workers, garbage collectors, gym owners / runners, runners of internet cafes, etc.

Non-conventional steps

During the course of investigation, following out of box / non-conventional police investigation steps were employed, many of which were altogether new for the police investigation in the country:-

1. Laying and over-laying the past 9 crime incidents being attributed to the accused on Google map, for convenience of study and working with the census database
2. Census data of 2017 was procured. Based on the 3 km radius from the epicenter of at-least 8 incidents, some 19 census identified blocks with a population of 400,000 people was

identified to work with. The purpose was to start the process of elimination (explained separately).

3. Sub Committees formed to look after the shortlisting of suspects based on the identifiable features and DNA collection of suspects
 - a. Pointing out the missing ones
 - b. House to house search
 - c. Activation of out of order CCTVs
 - d. Raids on suspects
 - e. Analysis teams
4. Space and Upper Atmosphere Research Commission, Pakistan (SUPARCO) was consulted – however, were unable to offer anything significant
5. Dovetailed all relevant institutes including the Census staff as well as the Psychiatrist Team from King Edward Medical University (KEMU) with regard to study the nature of the accused involved and working out the possible personality traits, etc.
6. PFSA was engaged – DNA profile of 1,179 persons were collected in 6 days
7. Intelligence Agencies were kept on board
8. List of Acquired Immunodeficiency Syndrome (AIDS) infected persons from DHQ to see any possible attempt by any infected / affected one to get rid of his disease by doing such rituals of raping and killing minor girls.

Annexure “D”

PROCESS OF COMPUTING THE HEIGHT OF THE ACCUSED INVOLVED IN THE CASE OF THE ZAINEB AMEEN

In this case before the identification and arrest of the accused, the JIT only had an access to the height of the deceased victim Zaineb Ameen. The height forms very important part of the identifiable features, which play vital role in shortlisting and identifying any known or unknown accused. JIT had with them the meniscus scale based pictures of the accused with victim while walking procured through the CCTV footages. The same footages, which otherwise were of little use to identify the accused, were still good enough to divulge about the height related information of the accused through comparison between the heights of accused and the victims. Hence the following principle was applied to gain an access to the possible height of the accused:-

- Height of deceased (Zaineb Ameen) on Form 25-35(1)(b) of Police Rules 1934 at serial No. 18 was 3'0" (the same was recorded in her post mortem profile sheet too by the WMO)
- Equation between accused : victim height (using the meniscus scale reading)
 - 1.8611 : 1.0 ratio
 - 5'7" : 3'0" (by multiplying 3' with 1.8611 ratio come to 5.5833. Now multiply 0.5833 with 12 to get additional inches after 5', which comes to 6.9996". So 5' and 6.9996 inches, gets to 5'7"). This gave the height of accused close to 5 feet and 7 inches

Annexure “E”

PROCESS OF EXCLUSION EMPLOYED DURING THE SEARCH OF THE ACCUSED OF THE CASE OF THE ZAINEB AMEEN AGAINST THE IDENTIFIABLE FEATURES FORMULATED BY THE JIT IN CONSULTATION WITH PFSA

The process of exclusion was designed to weed-out unwanted persons from the suspect list, so that only the one qualifying against the identifiable features are brought for the DNA testing. There was a database of some 400,000 population living within the perimeter of the area selected within the 3 police stations of Kasur, where the presence of the suspect / accused was almost confirmed while drawing from his activity during past 9 plotted incidents on the Google map. The process of exclusion would run as under:-

1. Each Census team would comprise officers of Education Department, Census Commission, local Police Officers and PFSA – each one with dedicated assignment and to strengthen the others
2. All females, elderly, children were excluded from the list of suspects (except this stage, rest all able bodied males were to be presented before the census teams to physically meet and see the persons before deciding whether to go for DNA test or not)
3. Physical meeting and shortlisting based on qualifying downwards:-
 - a. Those males under the age of 20 and above 34 were excluded from the list
 - b. Those males under 5’6” and above 5’8” were excluded from the list
 - c. Those males having some deformity in left hand were excluded from the list
 - d. Those males without fully grown beard and mustaches were excluded from the list
 - e. Those males having lean body were excluded from the list
 - f. All remaining were to be presented before the Census teams and taken for DNA testing, followed with interrogation report preparation (at the end of each day, a consolidate comparative statement was prepared and presented to the JIT convener next morning):-
 - i. Updating the List “A” of persons found suitable and sent for DNA
 - ii. Updating the List “B” of persons received at DNA center and their buccal swab samples were collected
 - iii. Updating the List “C” of persons who after buccal swab sample were interrogated through one proforma sheet to see, if those qualify the identifiable features and that the team maintaining the List “A” had not resorted to a mistake
 - g. Those not available or avoiding a meeting will be chased
 - h. Final catch & 100% match with DNA at all 16 loci.

Annexure “F”

**DETAIL OF VARIOUS COURTS VERDICTS ANNOUNCED IN THE
ZAINEB AMEN CASE AND THE ESECUTION OF PUNISHMENT
AGAINST THE ACCUSED IMRAN ALI**

Challan against accused was submitted before the Anti-Terrorism Court, Lahore-1 within shortest possible time. The rest of the details of the trial, appeals before various courts and the execution of punishment is as under:-

1. After 6 days trial on day to day basis, ATC Lahore-1 convicted / sentenced the accused as follows:-
 - a. U/S 364-A PPC; Sentenced to Death
 - b. U/S 376 PPC; Sentenced to Death. Along with fine of Rs.10-Lac, in default therefore, convict shall further undergo six months SI
 - c. U/S 302-B PPC; Sentenced to Death. He shall have to pay Rs.10-Lac as compensation u/s 544-A Cr. PC to the legal heirs of deceased in default thereof, he shall further undergo six months SI
 - d. U/S 7(a) ATA 1997; Sentenced to Death with fine of Rs.10-Lac and in case of non-payment of fine, he shall further suffer six months SI
 - e. U/S377 PPC; Sentenced to imprisonment for life with fine of Rs.10-Lac and in default thereof, he shall further undergo six months SI
 - f. U/S 201 PPC; Sentenced to imprisonment for seven years RI with fine of Rupees One Lac, in default thereof, he shall further undergo three months SI.
2. Lahore High Court (LHC) within one month of original verdict dismissed the appeal of the accused on following grounds:-
 - a. The witnesses have absolutely no grudge or ill will to falsely implicate the appellant in the case
 - b. During cross examination the prosecution evidence could not be shaken
 - c. The evidence is straight forward, trust worthy and confidence inspiring
 - d. The admission of the accused that he committed rape, sodomy after kidnaping Zainab Ameen deceased and thereafter also committed her murder in his reply to charge sheet before trial court
 - e. The prosecution proved its case beyond any shadow of doubt
 - f. The accused also admitted commission of occurrence during his statement recorded u/s 242 CrPC (charge to be framed), 243 CrPC (conviction on admission of truth of accusation), 342 CrPC (power to examine the accused) before trial court
 - g. LHC unable to find out any mitigating circumstances in favor of the appellant
 - h. The appellant does not deserve any leniency
 - i. LHC confirmed the death sentence awarded to appellant on all counts
3. Apex Supreme Court of Pakistan (SCP) within 2 months dismissed the petition and refused leave to appeal on the following grounds:-
 - a. While framing of the charge before the trial court the petitioner had pleaded himself guilty of the charges and got recorded detail confessional statement, and admitted almost every aspect of the case against him

- b. In his statement under section 242 CrPC (charge to be framed), 342 CrPC the petitioner once again admitted almost all the vital pieces of evidence produced by the prosecution against him as correct and again admitted his guilt
 - c. The learned counsel for the petitioner only prayed for some lenience to be shown to the petitioner in the matter of his sentence and no arguments were advanced challenging the matter of conviction
 - d. The CCTV footages, photographs, DNA tests reports and the medical evidence confirmed every aspect of the confession made by the petitioner
 - e. The confession made by the petitioner was not only voluntary but also true
 - f. The SCP observed that on the basis of evidence available on the record we have found no occasion to take a view of the matter different from that concurrently taken by the courts below
 - g. As provision of section 412 CrPC when the accused pleads guilty to the charge and convicted, he can file appeal only to the extant or legality of sentence and cannot file an appeal challenging his conviction
 - h. The petitioner had admitted committing similar offences with eight other minor victims therefore did not deserve any sympathy in his sentences
 - i. The SCP dismissed the petition and refused leave to appeal
4. The accused preferred mercy petition before the President of Pakistan, which was rejected and he was executed within 10 months of his arrest (hanged at Kot Lakhpat Jail, Lahore on the evening hours of 17th October, 2018, in the presence of the father and uncle of victim Zaineb Ameen).

Managing Organizational Change in a Crisis Situation: A Case Study of NIM Lahore

Sijal Tauseef Khan¹

Introduction

The National Institute of Management Lahore (NIM/L) conducts training of Pakistani civil service officers at the mid-career level. It operates under the umbrella of the NSPP (National School of Public Policy). The two major courses are titled Mid-Career Management Course (MCMC) and the Senior Management Course (SMC). Since the 6th MCMC, when the first course was conducted at the institute, more than a thousand officers from various service groups and government departments have received on-campus training at NIM. The COVID-19 pandemic presented NIM, like other training and educational institutions across the globe, with the challenge of converting on-campus training activities to online mode without compromising the quality and spirit of learning. This case study narrates the training mode transformation in the 29th MCMC at NIM Lahore from the point of view of the central character, i.e., the Chief Instructor (C.I.) It discusses how the NIM team responded to this challenge by building on their collective strengths in a time of crisis. It attempts to outline the training strategy, challenges and achievements in a chronological order. The themes explored include leadership, team building, change management, problem solving, decision making and use of technology. The ADDIE model will be used to describe instructional systems design framework.

Scene Setter

It was a cold February morning in 2020. The 29th MCMC was underway at NIM/L. The CI was busy in discussing hostel arrangements with a participant from Iran who was residing on-campus. The phone rang. It was a call from the Director General (DG): “*Can you please come to my office?*”

Upon entering the D.G’s office, the C.I. knew something was up. He looked grim.

“A directive has been received from NSPP stating that the course can no longer be conducted in the physical mode due to the emerging health crisis. We will have to suspend on-campus training activities and come up with an alternate strategy,” the D.G said.

¹ Secretariat Group, 115th NMC.

“We’ll do our best Sir” The C.I. replied, thinking about the options they had in the given situation.

So many questions were coursing through her mind. Will the training be completely online or hybrid? How will resource persons respond? Will all participants be able to adapt? What about the allied (foreign) participant? Will the faculty be able to handle the online training? Which platform should be used? What about the equipment and technology? Will the internet connection be stable? Will there be meaningful interaction between trainees and trainers? How could it be ensured that the training objectives are not compromised? How would participant performance be evaluated? What about discipline and rules? What would be the training SOPs? Was it even possible to bring about such a huge change?

It was an uphill task. A make or break situation. If done well, this would prove invaluable to the participants and increase the credibility of the institution. On the other hand, it was a long and arduous road to change and a breakdown in training could be disastrous. The C.I. was concerned and the key question in her mind was:

‘How to transform training mode in response to the emerging crisis without compromising the spirit and rigour of MCMC?’

Background

NIM Lahore had been conducting the MCMC since 2009. Stability, predictability and preparedness were hallmarks of the institution and NIM prided itself with pioneering many new initiatives in training content and design. Prior to the formation of NSPP, officers only went for an intensive training after almost twenty years of service when they did their ‘NIPA course’² (with the only prior engagement being the pre-service training at Civil Services Academy at the very start of their careers).

The MCMC tier of training was initiated by NSPP to address this huge gap. Initially, when the MCMC was introduced, it was considered an extra burden by trainee officers, a requirement that had to be fulfilled in order to get promoted. However, as the years went by and the course was conducted consistently across various NIMs, it gradually took root and was further refined and fine-tuned to respond to specific training needs at the mid-career level. The particular point in their careers at which MCMC engaged officers also contributed to its significance. Most of them were looking for answers to their emerging professional challenges. The average age of MCMC participants was 36 years. They had about 8-10 of years of service and most of them seemed hopeful about bringing about positive change in their respective fields. This was the right time for them to understand their role in implementation of policies and work towards improvement in service delivery.

² Officially named the Advanced Course in Public Sector Management, it was a mandatory promotion requirement from grade 19 to 20 which also required a minimum service of 17 years.

Before February 2020, the courses were conducted on-schedule and remained unaffected even in challenging times. MCMC, like other trainings imparted by different constituent-institutions of NSPP, was an intensive course. Various training methodologies like workshops, lecture discussions, panel discussions, simulation exercises, current issue presentations, analysis papers and tours were integral parts of the course offering and were not compromised even when external conditions in the country were rough. The destinations for inland study tours were selected keeping the law and order situation in mind. The local visits were carried out to provide hands-on learning opportunities to participants. Trainings at NIM Lahore went on despite all that was happening around it. Terrorism couldn't deter the trainers. While the incidents served as a reminder of the dangers lurking all around, but never did the training stop. Local visits and Inland Study Tours were conducted during every course. The destinations changed. However, not once were the visits cancelled.

After every MCMC, proposals were put forward by NIMs from all across Pakistan. The revised syllabus was approved in the training conference at NSPP chaired by the Rector.

The C.I. had been leading MCMC since August 2015. Prior to that, she had been associated with MCMC as a faculty member and had, during different times, looked after not only the T&C but also the administrative side. She had studied HR and Instructional Systems at the Pennsylvania State University as a Humphrey Scholar and had always been interested in training and capacity building. She acted as the lynchpin between the DG and the faculty and her role was of central importance in implementing any decision.

Over the years, she had seen a gradual but certain improvement in the way participants had responded to training. She gauged this from the seriousness with which they dedicated themselves to the training activities. The C.I. had seen how very challenging it had initially been to get participants in the '*training mode*'. However, as the training process had evolved so had the trainees. Now they came more prepared and were more willing to experience various activities. The quality of their outputs had also improved, both individually and collectively as members of groups. This point was shared by expert panelists who were routinely invited to review their reports and presentations in the 'Simulation Exercises' (SE) component. All this brought a lot of satisfaction to the faculty as this demonstrated that their efforts were bearing fruit. Things had evolved quite a lot as far as MCMC training content and design was concerned. However, no one had anticipated the kind of change that the pandemic now necessitated.

The Crisis & Emerging Situation

Since the start of the year, there was growing unease about the possibility of a global pandemic of the novel coronavirus strain that was said to have originated in China. The World Health Organization had declared the outbreak a Public Health Emergency of

International Concern on the 30th of January 2020 but it was not until 11th March 2020 that it was declared a pandemic. Since the first case of infection with this new coronavirus was reported in China in December 2019, SARS-CoV-2, or COVID-19, as we now knew it, had killed over 2.5 million people and infected at least 116 million.^{3,4} Beginning as an unexplained, pneumonia-like illness, it had since spread to almost every country, bringing life across most of the world to a near-standstill. World leaders had become ill, entire countries were locked down to prevent the spread of infection and international travel had ceased. As most governments struggled to contain the virus, scientists rushed to identify and find treatments that worked against COVID-19. As the disease numbers had surged worldwide, offices had been closed and remote work had started taking root worldwide. Schools, colleges, universities and training institutions had suspended classes and started adopting alternate ways of teaching and learning. The pandemic uncovered how interconnected and interdependent the world was. There was not a single country where life had not come to a standstill or where things were going on as usual.

By the end of the first week of the 29th MCMC, the virus had reached Pakistan. There was widespread fear and apprehension and partial lockdowns were imposed in different parts of the country. The 29th MCMC had 55 participants including 10 female participants and an allied participant from Iran. As the MCMC was a residential course, about two thirds of the participants including the allied participant were residing in the hostel. Prior to the outbreak, NIM was already using technology employing the E-portal for participant engagement. The E-portal made training effective and efficient by making it easier for participants to follow deadlines and submit reports. The use of paper and multiple hard copies had been drastically reduced. As all faculty members were equipped with laptops and internet devices, the cost of paper, toner and photocopy machine repairs was minimized further.

The pandemic had a huge global impact in every sphere of life. Short of being a ‘black swan event’,⁵ it was the closest to a global disaster that this generation had witnessed. Though global influenza was always a threat which was lurking in the background with breakouts like swine flu,⁶ bird flu and other scares. This time, however, it was different. What was required was a well-planned institutional response to the crisis. The

³ <https://www.newscientist.com/article/2270361-covid-19-the-story-of-a-pandemic/>.

⁴ In the end the pandemic would go on to kill more than 6.7 million victims: <https://covid19.who.int/> (accessed January 20, 2023)

⁵ https://en.wikipedia.org/wiki/Black_swan_theory .

⁶ 2009 H1N1 Pandemic (H1N1pdm09 virus) <https://www.cdc.gov/flu/pandemic-resources/2009-h1n1-pandemic.html>.

challenges included deciding a course of action and overcoming resistance and hesitation. The question in C.I.'s mind was: Will everyone be able to adapt to a whole new training environment?

The C.I.'s concerns were mainly focused on meeting the objectives of the course. The question was not 'if' the training will be online, because that had been decided. It was 'How to optimize learning in an online environment?'

The possibility of not being able to conduct a course meant that officers in the promotion zone would suffer. Lack of training also meant that quality of HR in the public sector would be compromised. There were no projections as to when things would return to business as usual. NSPP therefore decided to suspend training activities in view of the emerging threat and review the training methodology.

The first speaker who came on campus wearing a mask in the second week of the course was viewed with much interest. It was highly unusual for anyone to wear a mask inside a training institution, or anywhere else for that matter, outside of a hospital. Little did anyone know that this was to become a norm in the days to come.

The Response-Transformation of Training Methodology

(i) Analysis Phase

As a consequence of the emerging threat and in response to the NSPP directive, ongoing training courses, including the 29th MCMC which was underway at NIM Lahore, were postponed until the 1st of June 2020. Out of a total of 14 weeks, 6 weeks of training (first term and one week) had been completed before the postponement. NSPP had directed all the training institutions under its umbrella to develop training content keeping the emerging coronavirus pandemic situation in the country in view. All the campuses of NIM were required to present their proposals in a training conference scheduled for later that month in NSPP.

Participants were informed about the decision to suspend the course and were told that the training would resume in July. The C.I. formed a WhatsApp Group of the participants and faculty to keep them in the loop in the meantime.

Of special concern in the prevailing circumstances was the allied participant from Iran. He was a member of the Iranian Foreign Service and had just joined the course when news started emerging from Iran about an exponential increase in infections and death toll. When on-campus training was suspended and participants were asked to go back, arrangements had to be made for the Iranian to continue living on campus as there were no flights to Tehran. Accordingly, administrative arrangements were made for his stay. His flight home was arranged as soon as air travel resumed between the two countries.

The first phase of the process was an examination of the existing situation, especially with reference to the infrastructure, equipment, software and HR.

Public sector organizations are usually considered to be inflexible and not amenable to change. However, NIM proved to be a learning organization with the ability to adapt to change quickly and effectively.

The C.I. called a meeting of the faculty to discuss possible options for conducting the training. With a mix of permanent faculty members and officers from various service groups who had an academic bent and had opted to serve in

NIM, the training team was well qualified. The overall response of the faculty was positive and they were willing to take on the challenge. However, things were very uncertain as far as the pandemic was concerned.

The emerging news in the media evoked fear and anxiety. Many people had fallen prey to the virus. News about fatalities due to the pandemic added fuel to fire. The faculty had considerable safety concerns. In an interconnected world, everything was felt deeply and shared freely on social media. There were many myths and misconceptions about the virus and how deadly it was. In this situation, it was not an easy task to bring about a major change in the existing work-style. It required extra effort and commitment. There was no question about whether the courses will be conducted or not. The only question was 'How?' There were no comparable examples as institutions all over the world were working on their strategies for change that met their specific requirements.

After consulting the faculty, the C.I. discussed the issue with the D.G. The faculty's concerns were shared and suggestions to be considered in the training conference were jotted down. It was decided to propose that the remaining five (05) weeks may be conducted in the online mode. Training methodologies for hybrid learning had to keep in view that long spells of online sessions could lead to screen fatigue and therefore these had to be curtailed. More group work and interactive learning was to be promoted. Shorter lecture discussions with a considerable time for Q&A were important. Otherwise the participants would feel left out and not actually on board. All the training methodologies had to be customized to fit the online mode.

Of particular importance were the evaluation tests of which only one Analysis Paper had been conducted thus far. Proposals were framed for consideration in the training conference. There was constant collaboration between all the NIM campuses during this phase. At the end of the 'Analysis Phase', there was a clear understanding of the situation and the things that needed to be done. It was agreed in the meeting that as a first step, the remaining part of 29th MCMC may be shifted online on the lines suggested above. In subsequent courses, training methodology and assessment criteria could be further customized for online conduct.

The next step was designing the training activities.

ii) Design Phase

While designing proposals for online training, the following points were kept in mind.

Starting with the 29th MCMC, the main challenge was to shift classroom activities online while ensuring that the quality of discussion and active engagement of participants was least affected. It was also stressed that major training objectives were not to be compromised.

The scoring criteria had to be re-aligned to focus more on research and application; research based instruments were to be prioritized. Due to the nature of online learning environment, classroom content was to be reduced and content suitability was to be re-assessed in light of course objectives. It was decided that only selective topics will be retained (about 30%) and some Lecture Discussions (LDs) and Panel Discussions (PDs) would be converted into TDs (Tutorial Discussions) for online delivery. The NIM campuses were asked to consult resource persons and a select group of participants (comprising a representative group) before finalizing the proposals. In the initial design phase, the following proposals were put forward by the C.I.:

One of the foreseeable risks associated with online training was breach of privacy and out of context quotation of any guest speaker or participant. Detailed SOPs were therefore developed for an online version of the code of conduct.

- (a) ONLINE TRAINING DESIGN was discussed with the aim to achieve MCMC objectives, engage participants and at the same time avoid exposure to the virus. Various training methodologies were discussed including:
 - (i) Conventional: currently being used which required physical presence and attendance of participants.
 - (ii) Blended – currently being used in the BCURE teaching modules.

- (iii) E-Portal- currently being used to interact with participants, get their feedback, provide for online submission of written assignments by participants and faculty observations/comments on participant work.
- (iv) Online: physical presence not required/minimized. This was considered as the preferred method in the given situation.

The C.I. examined each and every remaining training activity and put up suggestions about how it would be customized for online delivery. The result was a thorough list of proposals which formed the basis of the revised syllabus.

(b) TRAINING ACTIVITIES to be conducted were discussed in detail. In the ongoing course (29th MCMC) one term had already been completed and all training methodologies (except Inland Study Tour) had already been employed in the course. It was discussed how the remaining training activities could be conducted online in the remaining two terms. Suggestions about the conduct of LDs, PDs, Case Studies, Simulation Exercises, Analysis Papers, Individual Research Papers and Workshops were debated and detailed SOPs were developed for each activity.

- (i) It was decided that for online sessions, secure platforms would be used instead of free sites to avoid any issues. It was also decided to give guest speakers the choice to join from their homes or workplaces as they deemed convenient.
- (ii) Essential and supplementary reading material was to be uploaded on the E-portal. Faculty members were asked to keep MCMC training objectives in view while selecting material. A complete course outline was to be uploaded with sub-topics. The topics were then to be linked to essential readings and supplementary readings with hyperlinks.
- (iii) As the online mode was a different ball game altogether, it was important that participants were kept engaged. For that they were supposed to submit synopsis of each activity using the E-portal.
- (iv) Case studies were to be uploaded 48 hours before the scheduled time on E-portal.
- (v) Discussion forums comprising syndicate participants and sponsoring Directing Staff (DS) will be formed for online discussion.
- (vi) SE material was already being shared via E-Portal and participant submissions were also received on the portal. It was decided that the presentation methodology would be reviewed. TDs (Tutorial Discussions) were to be conducted entirely online by providing videoconferencing facility in all syndicate rooms. As far as analysis papers were concerned, these were to be conducted online and would follow the open book method.

The actual challenge was how to conduct the MCQ (multiple choice questions)-based exams which were part of the term assessment as it was difficult to ensure transparency in the online mode. The faculty was of the view that term exams could be conducted through Zoom facility allowing the participants to download the examination paper at a given time, requiring them to sit in the Zoom meeting throughout the allocated time and uploading the answer sheet at a specified time. This necessitated that the exam be conducted in smaller groups to ensure close supervision by the faculty.

The C.I. considered the conduct of Analysis Papers and MCQs as the most challenging task in the online environment.

All the proposals were discussed in detail. The most suitable ones were selected for development. It was decided that the Zoom platform will be used to conduct online sessions. It was also agreed that the course contents would be kept focused and long online sessions would be avoided. Sports, co-curricular activities, local visits and Inland Study Tour had to be dropped. The only committee which could arrange a session was the Cultural Committee. As the COVID situation was still developing, no one had any idea about whether or not on-campus activities could be conducted. The C.I.'s mind was occupied with coming up with a suitable plan for the conduct of APs and MCQs. Transparency and fairness was to be ensured in the conduct of these graded activities. At the end of the design phase, there was a course outline and an overall design.

(c) DEVELOPMENT: Although the training design was in place, training activities had to be customized according to the new mode of delivery. Training for faculty and staff at NIM was arranged with a resource person from NSPP. A full time I.T instructor had been employed recently and it was a relief to have someone who had an in-depth understanding of the Zoom platform and its effective use for training. He held sessions and instructed everyone about online sessions. Zoom licenses were procured for all faculty members so that they could conduct their own uninterrupted Zoom meetings with their respective syndicate groups.

The C.I. understood that one of the most important things to be kept in mind while designing online training was that the sessions should not be very long as it could cause screen fatigue among participants. In addition, it was better if LDs and PDs were scheduled in the earlier part of the day with after lunch sessions focusing on team activities.

(i) Infrastructure and Equipment

Necessary equipment had to be procured for conducting online sessions. The DG, with the help of the C.I. and the administrative team, identified the required IT equipment.⁷ This was a challenge keeping the limited time in view. After the equipment had been installed and tested and NIM faculty and staff given an orientation about online training, the course resumed as planned in July. The C.I. saw challenges in actual conduct of various training activities and discussed these with the D.G. The following strategy was developed in response:

(ii) Potential Challenges & Proposals

In shifting to the online mode, the following issues were identified and proposals were given against each:

Issue	Proposal
i) Familiarity in use of online class applications by resource persons and participants (especially ex-cadre officers who had been working manually/non-digitally for most of their professional lives).	As a preliminary exercise, and to familiarize participants with online activities, an active WhatsApp group supervised /regulated by one faculty member was to be formed. The group was also to have an IT expert as a member for educating participants about using various applications.
ii) Need for real-life interaction of participants (keeping some of the course activities interactive).	In case, participants are required to be called to NIM for any academic activity, they may be called in small groups and on different days and timings. Although this shall increase engagement of the resource person but that would be the safest mode in the current situation. This portion of course could be conducted during the last couple of weeks of MCMC.
iii) Assessment criteria	An assessment rubric may be developed for each activity to maintain uniformity and fairness. Weightage could be given to originality, analytical approach, identification of key issues, effective use of evidence to support answers, accuracy of information gathered and authenticity of primary and secondary sources used.
iv) Privacy of online data	To guard online privacy, resource persons and participants may be asked to use official emails to log in the interactive apps. Participants may also be

⁷ 4 HP Core i7 10th Generation laptops; 2 Samsung 82 inch LED; 2 Minrray USB camera 12 mega pixels; 3Logitech 5 megapixel cameras; 3 3KVA APC UPS.

	advised to create an email with their original names for identification and ease of the resource person and the faculty.
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Meetings were held to discuss and develop training SOPs in the online mode. The C.I. held separate meetings with the faculty to help them understand and implement change. One of the challenges was to equip officers with tools to carry out their work despite the pandemic. Working remotely in teams was one skill that NIM hoped to impart. NIM had to act as a role model to inspire trainees.

Training activities that were to be conducted were evaluated for conversion into online mode. The equipment required for online training was procured. Two syndicate rooms were converted into studios for online classes. LCD screens, cameras and mics were procured. The E-portal was strengthened. Zoom licenses for faculty were purchased. Internet devices were procured for all participants. The following online training requirements were identified:

- IT software/hardware. Directing Staff (Admin) required to review existing equipment.
- Tele-classroom/studio equipped with videocon equipment and dedicated bandwidth
- Syndicates to also be technologically equipped
- System protocols to be developed
- Internet devices for all participants
- Video recording
- Transcripts of discussion to be prepared
- Tele-attendance facility
- Wi-fi for participants
- LED video walls in classroom and syndicate rooms

In order to ensure a safe environment, the C.I. worked with her team to come up with detailed COVID- SOPs in addition to online classroom SOPs. The two designated studios for online training were regularly disinfected after each session.

The 29th MCMC Syllabus was reviewed keeping the above points in mind. C.I. ensured that the revised syllabus had shorter LDs and the online classes were not unduly long and time consuming. The syllabus and methodology proposals framed by NIM Lahore were presented in the training conference held in NSPP where these were approved. C.I. NIM Lahore was tasked to coordinate with all the other NIM campuses and share the proposed syllabus with them. At the end of the Development Phase, the entire online course had been planned. It was now time for implementation.

(d) IMPLEMENTATION: was the most challenging phase of the transformation and one about which the C.I. was very apprehensive. After resumption of the course, the training and COVID SOPs were followed meticulously. Despite the fact that all potential issues were examined in painstaking detail, there was always a possibility of something going wrong. Apart from the willingness of the trainers and the readiness of the trainees, quality of internet connectivity was crucial as everything depended on it in an online environment. Many challenges were encountered during the implementation phase. There were constant consultations amongst the C.I., D.G and faculty to respond to the developing crisis situation. They were always hands-on. Ready for any eventuality.

After a session with a speaker who delivered the lecture in NIM studio, The C.I. got a call from the D.G in the evening. *"Were you present in the session today?"* the D.G inquired. *"Yes Sir"*. Replied the C.I. *"Don't panic,"* he said, *"but the speaker has tested positive for COVID-19."*

(i) Escalation of the Pandemic & Increase in Infections

Before the start of the course it was planned that faculty and guest speakers will come on campus and participants will attend from their respective work stations. The course was conducted in this manner in the first week. However, in the second week, there was a sharp increase in the number of COVID infections in the country. Things got scarier when one of the guest speakers tested positive for COVID. The C.I. was alarmed. Although strict COVID SOPs were followed while conducting the sessions, this was a cause for concern. The whole IT team and administrative staff who had been associated with the session were tested and two out of the twenty officials tested positive for the virus. They were immediately sent off into quarantine. The procedures were made even stricter. It was decided that the faculty will conduct the training from home. Guest speakers were asked to conduct their sessions from their respective workstations. They were facilitated by NIM technical staff. At the same time, essential I.T staff was given food and lodging on campus to ensure smooth conduct of online training and maintenance of studios and equipment.

During the implementation phase, the C.I. ensured that all faculty members were on board and had received requisite training and orientation to conduct class sessions and syndicate exercises. She personally supervised tutorials and case study discussions in small groups.

On resumption of the course in the online mode, some participants found it difficult to concentrate in their home environment. They even requested to be allowed to come on campus and attend classes online in a separate room. However, they were informed that this was not possible in the given circumstances.

(ii) Internet Connectivity

Although all participants were provided internet devices yet some still faced connectivity challenges as they were in areas where service was not optimal. Disruptions due to internet connections though few, were there and had to be dealt with. The faculty was trained to be flexible and adaptive in such cases. Participants were encouraged to participate and ask questions. The C.I. made it a point to attend all the syndicate sessions and tutorials one by one to ensure standardization and fulfilment of basic training requirements. The faculty was required to monitor the classes closely. In case of any

disruption due to internet connectivity, the sponsor DS or C.I. intervened and took over. More than one host in the Zoom meetings ensured that if the primary host was disconnected, the session was not disrupted.

(iii) Participant Response

As this was the first online course, participants had to be given initial training and orientation of the online environment and the Zoom platform. All of them had laptops and were provided internet devices by NIM to ensure uninterrupted connectivity. The C.I. planned the 'Zero Week' in which it was ensured that all participants were at the same level of readiness to engage in online learning. In this week, participants were provided orientation and informed about the conduct of the remaining part of the course.

Once the course started, the sessions were monitored closely by the C.I. and her team. Initially, it was tiring for the participants to sit in front of their laptops for extended periods of time. Although the intensive sessions were mostly before lunch, certain activities had to be conducted in the afternoon. The C.I. realized that it was important to communicate with the participants about the requirements of the online course and the importance of covering the syllabus in the given time. Therefore, regular sessions were planned with the C.I. and faculty in which the participants gave their feedback and shared their concerns. It had a positive impact on participant responsiveness and also helped the faculty understand their viewpoint and adjust accordingly.

Another challenge was that some participants could not focus on the sessions due to disruptions in their home environment. This was more of a problem for lady officers who had very young children (who too were not going to school). They had to make an effort to insulate themselves from their surroundings. The C.I. realized that this matter also had to be handled with tact. It was easy to issue letters of violation but as

the whole concept was novel and the situation was still uncertain, some margin had to be given to the participants to get accustomed to the online mode. Participants were counselled by their respective syndicate advisors in case some disturbance was noticed during conduct of sessions. Due to this constant engagement, things smoothened out after the first week.

(iv) Role of Faculty

The other challenge for the C.I. was more complex: this was to convince her own team to put in extra efforts for the online classes. When the classes were conducted on campus the faculty had the facility (apart from the sponsor DS) to tend to other assignments related to the course. They could do this while sitting at the back of the classroom or in their offices. However, with conversion to the online mode, faculty members were asked to attend all sessions to monitor the class activity closely. Initially, all faculty members joined the classes but some started switching off their cameras once the sessions had progressed. The C.I. noted that this was counterproductive as the participants took this as a sign that online sessions were not as important as on campus training. Some of them started switching off their cameras as well and had to be cautioned to be more attentive. The C.I. decided to tackle the issue before it got out of hand or undermined the whole training activity. She convened an online faculty meeting. It was a sensitive matter and things had to be handled delicately. One way was to tell everyone to attend all sessions with their cameras on. No questions asked. The second approach was to take them on board and build consensus about the rationale for faculty members to be more involved and attentive. The C.I. decided to go for the second option. Although it was more difficult and took some convincing, faculty members were made to realize that they were role models for the participants and had to show more determination to make online sessions work. The collaborative approach proved successful in this case. With a more focused faculty, participation of trainees also improved.

(v) Facilitating Resource Persons

The third issue pertained to guest speakers. The team had to plan engaging them. Initially most of them came to the campus and conducted the sessions from NIM studio. However, as mentioned earlier, a problem arose when one renowned speaker who had just conducted a session at NIM tested positive for COVID-19. Thence onwards, speakers were asked to conduct online sessions from their respective homes/workstations. This posed two problems. Firstly, some of the guest speakers had poor connectivity and secondly, some were not familiar with the Zoom environment.

The C.I., in consultation with the D.G, decided to prepare a team of I.T professionals who would go to their homes/offices and help them conduct the session. The team also carried a Wi-Fi device and some other gadgets just in case. This worked very well in case of speakers who were in the same city. The problem arose when speakers were engaged from other cities. The C.I. decided to take the respective NIM team in other cities on board to facilitate the speakers. Resultantly, some speakers from Islamabad and Peshawar were given space by the concerned NIMs to conduct online session in Lahore from their campus. In response, NIM Lahore also facilitated their speakers who were based in Lahore.

A very positive point of online learning is the ease with which guest speakers could be engaged from anywhere and distances ceased to be a barrier.

As a result of the hands-on approach by the C.I. and her team, there were hardly any major disruptions and the course concluded successfully on the given date despite the multiple challenges that were encountered in its implementation.

(vi) Evaluation

The training of the participants of 29th MCMC was successfully completed on 3rd July 2020. The first six (06) weeks of the course had been conducted at the NIM Lahore campus. There was a break from 13th March till 31st May due to the COVID-19 pandemic and the course resumed on 1st June in the online mode (for five weeks). At the end of every course, the Course Review Committee (CRC) formed during the course comprising participants from the course was tasked with reviewing the course activities and giving suggestions for improvement.

The CRC of 29th MCMC evaluated various training activities, course contents and methodologies employed during the course. The C.I. carried out an analysis of the CRC's suggestions.

The CRC members recognized the effort put in by the C.I. and her team in the resumption and successful completion of the 29th MCMC. They considered themselves fortunate to have met their course-mates at the beginning of the course as no one could say when things would improve; naturally, till that time, courses would have to be conducted online or in the hybrid mode.

The CRC collected anonymous responses from the course participants by circulating questionnaires. The committee recognized that 29th MCMC was a unique course as it started with on-campus training and ended as an online course. Participants were satisfied that the course was resumed and then customized for the online mode.

Most of the questions were framed using the Likert Scale and were focused on the core competencies developed during the training as well as efficacy of various training methodologies, syllabus, administrative arrangements and online training mode. There were also comments and observations by the respondents which were made part of the report. The overall satisfaction of the participants can be gauged from the fact that 98% respondents indicated that the course fulfilled its stated objectives and that their expectations regarding personal and professional development were met. The core competencies participants rated the highest included team building, time management, presentation skills, communication skills, sharing responsibility and ability to perform under pressure.

One point raised by the participants was that while certain aspects of the course like team management and leadership could not be focused upon in the online mode, this was not much of a problem in the 29th MCMC as in the initial weeks of this course training had been conducted in the physical mode. This could be an issue in a fully online course with no physical interaction.

One downside of the online mode was that the Inland Study Tour could not be conducted.

On the administrative side, the areas of concern identified by the CRC included Wi-Fi and internet connectivity. The report also proposed integrating the plagiarism check in the E-portal and developing a NIM alumni portal. At the end of the Evaluation Phase, the C.I. had elicited detailed information about all that was required to be revised for improvement of future courses.

Lessons Learnt

The following policy lessons can be drawn from this case study:

- a. Organizations must ***adapt to survive and remain relevant***. This was a lesson many institutions, including NIM, learnt during the COVID-19 pandemic. The timely conversion of the mode of training during 29th MCMC meant that officers did not lose precious time and that their career progression was not disrupted.
- b. Online learning is the new normal. It brings many benefits but face-to-face interaction has its own value. ***The way forward is to combine the strengths of both and remain flexible in implementation.***

- c. Public sector organizations are usually perceived as slow and difficult to change. However, NIM proved *to be a learning organization* by overcoming organizational inertia and implementing change successfully. The contributing factors towards this success included support from the top, dynamic leadership, a committed and capable team, painstakingly detailed preparation and effective implementation.
- d. In a crisis situation, leaders have to *assess risk(s), handle ambiguity/conflict, quell anxieties and build the confidence of their teams* to implement change successfully.
- e. Once implemented, a process can be fine-tuned with the help of *feedback, review and mid-course corrections*. Most of the lessons learnt during the 29th MCMC were utilized while designing hybrid trainings for subsequent courses.
- f. The most important lesson learnt was that *we must not underestimate our own capacity to change or implement innovative ideas*. The *scarcity of resources* in the public sector *can be overcome by engaging more deliberately with the process*.

Conclusion

In light of the foregoing discussion, it can be concluded that in this particular case, there was a fit between the *organization's mandate* (to transform the training mode) and the *authorizing environment* (directions from NSPP). In addition, both the leadership and the team rose to the challenge. They were willing, committed and qualified to plan and implement the desired change. The presence of this enabling milieu enabled the C.I. to identify internal and external complexities and opportunities. She made good use of the time available before resumption of the 29th MCMC by detailed planning and focusing on all areas of training before starting the course in an online mode. It was due to this painstaking attention to detail that there were no major disruptions in the conduct of the course.

With reference to the key question about whether the course was as rigorous and meaningful as those conducted earlier in the physical mode, faculty perception and participant feedback in the form of CRC report is a good indicator. This document shows that the knowledge part of the course was adequately covered. All the participants were able to complete the course despite the critical COVID-19 situation and ensuing challenges. Most areas of activity were under lockdown and there were sick persons in the family of participants (a few of whom became victims of COVID-19 themselves). Although the interaction between participants in groups was not of the same nature as a physical on-campus presence, however, the main objectives of the course were met and participants recognized the effort and hard work put in by the NIM team for ensuring that the course was resumed and completed despite the crisis. The interplay of all these factors led to a successful transformation of training at NIM Lahore.

Recommendations

In order to manage change successfully in a crisis situation, the following strategy can help:

1. Understanding the authorizing environment: what kind of support is available from the top? How can it be strengthened? Without commitment at the highest level, a change of this magnitude cannot be implemented.
2. Avoiding being bogged down by daunting challenges; the stakeholders should have faith in the system and in their own capacity to rise up to the test.
3. Developing a shared vision and clearly identifying the objectives: Leaders have to decide who should be involved and must then schedule all collaborative working in detail to bring everyone on board. It is important to have a shared vision to move forward in unison.
4. Focusing on teamwork: A capable and committed team is the most important factor in successful change management. Leaders should focus on developing the capacity of their teams. Identifying the right person(s) for right work and training the support staff is crucial.
5. Planning ahead: one of the most important aspects of effective change management is planning in advance and analyzing all aspects thoroughly ***before implementing the required change***. All loose ends must be tied down while keeping the objective(s) in mind.
6. Acquiring desired expertise: Leaders should either develop expertise or engage experts in the relevant field. In this particular case, the course content and methodology were redesigned to suit the online mode and IT experts were engaged to advise about the design and equipment required to conduct online sessions.
7. Putting in place a system of monitoring and review: there can be no improvement without constant monitoring and review. The change team must be flexible and open to suggestions.

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Role of *Panahgahs* in Providing Shelter to the Homeless in Punjab: Issues and Way Forward

Fareeha Tahseen¹

Introduction

Punjab is the most populated province of Pakistan with 53% of the country's population;² it is the second largest with respect to area. A large population of Punjab is clustered around the poverty line with the real inequality challenge coming from rural-urban income disparities. Beset by poverty, many people from rural areas continue migrating to Lahore for livelihood; most of them do not have enough funds to pay for renting a room or spending a night in a paid facility. Hence, a good number of homeless people are found sleeping on roads, under bridges, in parks, markets and stations with a concentration at Data Darbar, Minar-e-Pakistan, Chauburji, Shahi Qila and Bhatti Chowk.³ This kind of homelessness is categorized as "literally homeless" a term often used to denote the people staying in shelters for the homeless, on the streets or in similar settings.⁴

Since 2019, a new phenomenon has arisen on the social protection horizon of Punjab: These are the 93 *Panahgahs* (literally "refuges") that have been set up for disadvantaged urban homeless of Punjab under umbrella of Social Welfare & Bait ul Maal Department. *Panahgahs* provide a decent sleeping space to the urban homeless who are informal actors of the urban economy. The initiative is in line with Target 1.3 of SDGs which aims to "implement nationally appropriate social protection systems and measures for all." This paper analyzes the effectiveness of the initiative to establish *Panahgahs* and whether it has achieved the envisaged targets or a broader and more elaborate institutional framework is required to achieve these.

Homelessness in large cities is likely to increase in the future owing to income inequalities and uneven opportunities. It affects the well-being of not only the homeless but also the public in general and aesthetics of cities. Hence, it is important to tackle this issue proactively as well as to study and analyze factors leading to homelessness so as to address those issues to prevent people from going homeless. Prima facie the *Panahgahs* in Lahore are benefiting visitors to the city for different purposes incongruent to the very concept of homelessness.

¹ Pakistan Administrative Service, 32nd MCMC.

² Punjab Bureau of Statistics. *Punjab in Figures*. Annual Report, Lahore: Planning and Development Board, Punjab, 2020.

³ Tauqeer Hussain Shah, Huma Butt. "Sleep comes all the way: a study of homeless people in Lahore, Pakistan." *Academic Research International*, 2011: 207-217.

⁴ Esteban Ortiz-Ospina, Max Roser. "Homelessness." *Our World in Data*, 2017.

The Issue

People having low access to employment and quality health services in their areas are compelled to travel to urban centers; however, due to lack of resources either to commute from their houses daily or to spend nights in paid accommodation, they become shelter-less and are forced to sleep in public spaces.

The Government of Punjab has established 12 *Panahgahs* under the umbrella of Social Welfare and Bait-ul-Mal Department (SW&BMD) to accommodate such persons. The funds required for building maintenance, janitorial services and bedding etc. are met by the department from its budget which was Rs. 28.5 million for the year 2021-22.⁵ However, there are serious questions about the financial sustainability of *Panahgahs* vis-à-vis the standards of services that are being provided there.

The research question, then, is to what extent is the *Panahgahs* project sustainable within its existing legal and administrative framework?

Significance and Scope of Study

Till date no research study exists on the *Panahgahs*, an initiative of the former government that was commissioned in 2019⁶ after approval of the cabinet. Although the *Panahgahs* have been established throughout Punjab, the scope of study is limited to *Panahgahs* in Lahore due to resource constraints.

Review of Literature

The nuances of homelessness are in a flux and this condition is not an unchanging one. According to a report of The Bowry Mission, the oldest charity organization of United States, nearly one in every 106 New Yorkers is homeless — that's nearly 80,000 men, women and children. Every night, about 4,000 people sleep on the streets, in the subway system or in other public spaces.⁷ The major causes of homelessness listed on the website are mental illness, untreated medical issues, violence and abuse, lack of affordable housing and difficulty in sustaining employment.⁸ A research on state intervention in homelessness in Malaysia states that the government has an inherent responsibility to address the issue of homelessness by examining its causes and repercussions and develop positive strategies for its prevention and resolution in view of the profound difficulties which have to be endured by homeless persons in dealing with adversity and socio-economic exclusion.⁹ The false perceptions attached with

⁵ Finance Department Punjab, Budget Book 2021-22.

⁶ Muhammad Hassan Iqbal, Secretary Social Welfare, interviewed by author, November 4, 2021.

⁷ The Bowry Mission, "How we Help" November 2020. <https://www.bowery.org/homelessness/> (accessed November 20, 2021).

⁸ Ibid.

⁹ Rusenko, Rayna M. "Homelessness, Human Insecurities and the Government Agenda in Malaysia." *Asian Journal of Social Science*, 2014: 45-74.

homeless persons and street sleepers like beggars, drug addicts and criminals affect the “attitudes to policy” and in turn reduce the extent to which they are included in “mainstream policy.”¹⁰ According to the National Urban Housing & Habitat Policy (NUHHP) of India, urban homeless individuals contribute to economy of the cities and in turn the nation as cheap labour in urban sectors; yet they have to live with no shelter or social security protection. This policy suggests permanent shelters in state capitals for the homeless that should be located close to railway stations, bus depots, terminals, markets, and wholesale *mandis* (markets). The policy also proposes levy of user fees depending upon the income level of beneficiaries for the maintenance of these facilities.¹¹

A rough sleepers Initiative (RSI) for people who were sleeping on streets was introduced by the Scottish Government in 1997 and targeted ending the need for rough sleeping by 2003. Many local authority respondents saw RSI as the catalyst for more policy developments including health and homelessness action plans and integration of homelessness services within Supporting People planning.¹²

The structure and core purposes of the Mughal caravanserais which were built during the period of Akbar the Great on the Agra-Lahore Highway in Eastern Punjab was stated to be “*the comfort of travelers and the asylum of poor strangers.*”¹³ These caravanserais played an important role in the political, social and economic life of people. They helped foster political cohesion, travel safety and economic growth of the kingdom. Travelers, including pilgrims, merchants, and scholars, used these caravanserais for protection from robbers and rough weather. For travelers on long-distance journeys, these facilities served as route markers and places to rest or stay safely. As most places, caravanserais offered mosques at which daily prayer could be performed, as well as markets and bazaars where supplies could be purchased and repairs made to caravan trappings. Even court officials used *serais* for their stay while relaying proclamations from the court or collecting tax and receipts from the area. In addition to serving social and economic functions, these caravanserais reflected the glory and the might of their builders.¹⁴

¹⁰ Suzzane Speak, Graham Tipple. "Perceptions, Persecution and Pity: The Limitations of Interventions for Homelessness in Developing Countries." *International Journal of Urban and Regional Research*, 2006: 172-188.

¹¹ Government of India. *Operational Guidelines for the scheme of Shelter for Urban Homeless under the National Urban Livelihoods Mission*. Policy Guidelines, New Delhi: Ministry of Housing and Urban Poverty Alleviation, 2013.

¹² Suzzane Fitzpatrick, Nicholas Pleace. *Final Evaluation of the Rough Sleepers Initiative*. Official Report, Scottish Executive Social Research, 2005.

¹³ Abū al-Faẓl ibn Mubārak, Henry Blochmann, H. S. Jarrett, and Jadunath Sarkar. *The A'in-I Akbari by Abu'l-Faẓl 'Allami. Translated into English by H. Blochmann*. Calcutta: Asiatic Society of Bengal, 1927. Page 232.

¹⁴ Shaifali Johar, *Academia.edu*.n.d

https://www.academia.edu/35799231/A_Survey_of_Mughal_Caravanserais_in_the_Eastern_Punjab_India (accessed December 12, 2021).

Research Methodology

The study is based on a mixed-method approach using both qualitative and quantitative data. Qualitative primary data was obtained through both structured and unstructured focused interviews with officials and beneficiaries of the *Panahgahs*. A convenience sample of one hundred (100) persons was randomly selected from amongst the sheltered homeless who were interviewed verbally and through a questionnaire. Qualitative secondary data was obtained from various news articles and documents such as policy and project documents. Quantitative data was obtained from the Directorate General of Social Welfare, *Punjab*. Comparative data analysis techniques as well as thematic analysis methodology have been used in this paper.

Organization of This Paper

Section I of the paper deals with the legal and administrative framework of *Panahgahs* in Lahore. Section II discusses the data analysis as well as issues and challenges in execution of the project. Section III is about global examples of initiatives of social welfare departments in providing relief to the street sleepers; finally there are the conclusion and recommendations.

Section I

Legal and Administrative Framework

1.1 Legal Framework

Articles 37 and 38 of the Constitution of Islamic Republic of Pakistan provide that the state shall promote social justice, and social and economic well-being of the people and “*provide basic necessities of life such as food, clothing, housing, education and medical relief, for all such citizens, irrespective of sex, caste, creed or race, as are permanently or temporarily unable to earn their livelihood on account of infirmity, sickness or unemployment*”.

The *Panahgahs* initiative aims to address at least the provisions of temporary shelter and meals to the destitute of the society for a limited period of time in major urban centers of the province. The policy for *Panahgahs* as framed by Pakistan Bait-ul-Mal elucidates that Section 3(4)(a)(d)(i) of the Pakistan Bait-ul-Mal Act, 1991 provides the purposes for which Bait-ul-Mal funds may be used and these include residential accommodation to destitute, needy widows, orphans and other needy persons.¹⁵

¹⁵ Pakistan Bait-ul-Mal, “*panahgahs Policy*” The Standards for *panahgahs* 9 June, 2020 <http://Panahgahs.pbm.gov.pk/policy.pdf> accessed on 21-10-2021.

The 18th Constitutional Amendment has transferred most social protection functions to the provinces in order to safeguard the fundamental rights of their vulnerable and socially excluded segments. Section 5 of the Punjab Bait-ul Mal Act 1991 gives the purposes for utilization of funds¹⁶ but does not specifically contain a residential clause.

The concept paper of *Panahgahs* (PC-I) describes that it is mandate of the department to cater to social needs of the marginalized segments of the society. The poor and needy persons who come to Lahore for healing and earning purposes and have no place to spend their night time anywhere thus become shelter-less. Provision of social protection services to this segment directly comes under the purview of the SW&BMD under Punjab Government Rules of Business 2011.¹⁷ There is no special act or set of rules governing the establishment or operation of *Panahgahs* otherwise.

The concept of providing shelter has already been realized by the department in the form of old age homes and orphanages. The *Panahgah* is basically an extension of that concept providing shelter only for the night and two meals. However, this is incongruent with the prevalent international practice where homeless persons are provided shelter for considerably longer periods of time until the incumbents shift to permanent housing facilities or low rent housing.

1.2 Administrative Framework

Twelve *Panahgahs* in Lahore have been established by the SW&BM department Punjab after approvals of the cabinet and Chief Minister. The *Panahgahs* in other districts of Punjab have been established and are being operated by respective district administrations.¹⁸ Out of the 12 *Panahgahs* of Lahore, five are purpose-built or signature *Panahgahs* while seven have been set up in rented buildings on a need basis.

Table 1: Location and Capacity of *Panahgahs*

Signature Panagahs	Capacity	Make-Shift Panahgahs	Capacity
Data Darbar Chowk	144	Negheban Center	30
Bus Stand, Badami Bagh	100	Kot Khawaja Saeed	30
Fruit and Vegetable Market	100	Johar Town	40
Railway Station	144	Bund Road	30
Thokar Niaz Baig	100	Shahdara	40

¹⁶ Punjab Laws, “The Punjab Bait-ul-Mal Act” 30 March, 1991 <http://punjablaws.gov.pk/laws/380.html> accessed 21-10-2021.

¹⁷ Social Welfare and Bait-ul-Mal Department, PC-I of the *Panahgahs* Project, 2018.

¹⁸ Zaib Waseem, Director Planning, SW&BM department, interviewed by author, 03 December, 2021.

		Bibi Pak Daman Ali Complex	70
		Gajju Matta	20

The *Panahgah* facility can be utilized for night time stay only from 6 pm to 9 am; two meals, breakfast and dinner, are provided to the beneficiaries. The facilities are closed during the day time and neither travelers/guests nor staff are allowed after closing hours i.e., 9:00 AM.¹⁹ Any person with a CNIC or any other known identity document, who has no place to spend a night is eligible to reside in the *Panahgahs* except one who is using or in possession of narcotic drugs, firearms or suffering from any severe communicable disease or a psychiatric disorder; in case of the latter two he/she is referred to a hospital. The persons belonging to Lahore are ineligible to avail this facility. Each *Panahgah* has to maintain a proper record pertaining to the admission of each resident. The admission is now being made on Guest Management Information System (GMIS) software developed by PITB for entering the record of beneficiaries. Following is the strength of officers and officials posted at each *Panahgahs* for completion of formalities and facilitation of persons staying there:

S.No	Nomenclature	BPS	Remarks
1	Social Welfare Officer	17	One for each <i>Panahgah</i>
2	Assistant	16	One for each <i>Panahgah</i>
3	Warden	11	One male and one Female Warden for each <i>Panahgah</i>
4	Junior Clerk	11	One for each <i>Panahgah</i>
5	Washer-man	1	2 for each <i>Panahgah</i>
6	Attendant	1	2 Female Attendants + 3 Male attendants for each <i>Panahgah</i>
7	Mali	1	One for each <i>Panahgah</i>

Each *Panahgah* comprises of a gentlemen's block, a ladies/families block, a mosque, dining hall and washrooms. The janitorial services are outsourced for each *Panahgah* and the service company is paid from the budget of the department. Hence the establishment is the function of government while food and basic medicines are provided by philanthropists/NGOs.²⁰

¹⁹ Ibid.

²⁰ Muhammad Hassan Iqbal, Secretary Social Welfare, interviewed by author, 04 November, 2021.

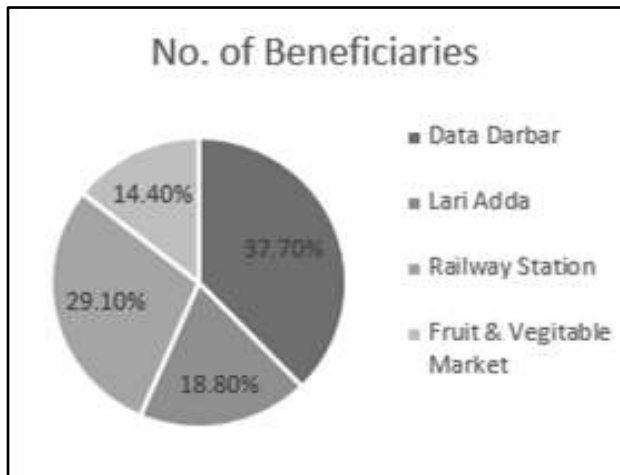
Section II

Data Analysis, Issues and Challenges

2.1 Data Analysis

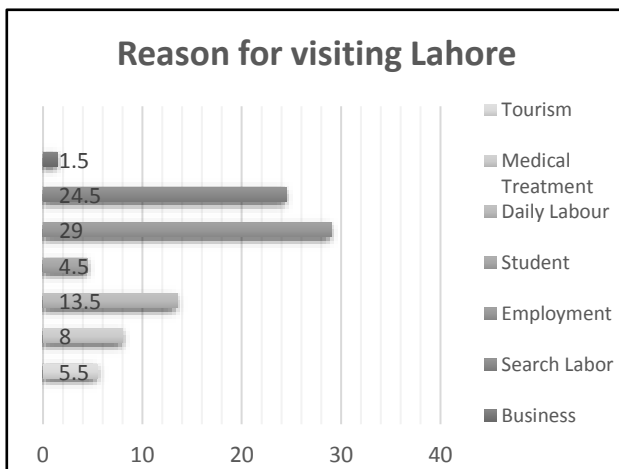
Analysis has been conducted on the basis of the secondary data obtained from the Directorate General of Social Welfare and primary data collected through questionnaires.

Graph 1: Visitors at different *Panahgahs*



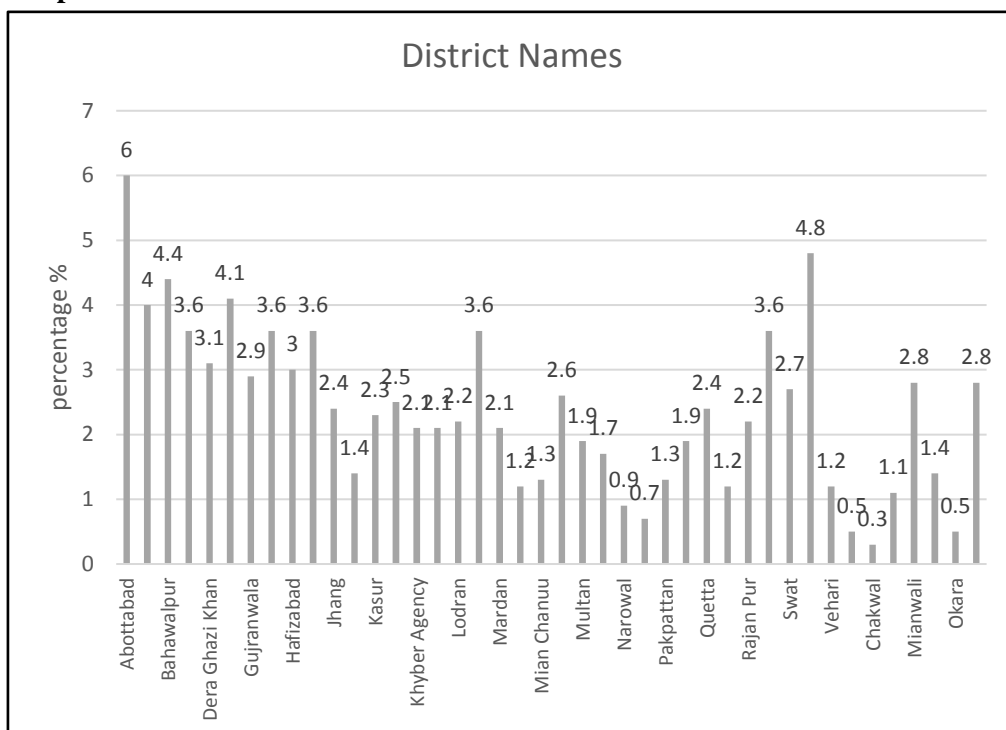
This pie chart represents stay preference of passengers. 37.7% passengers visited Data Darbar Center for stay furthermore 29.1 %, 18.8%, 14.4% & 0.4 persons stayed at Railway Station, Thokar Niaz Baig, Fruit Market Lahore & Bus Stand (Lari Adda) respectively. This shows that Data Darbar and Railway Station centres are the more preferred options as compared to others.

Graph 2: Reason for Visiting Lahore



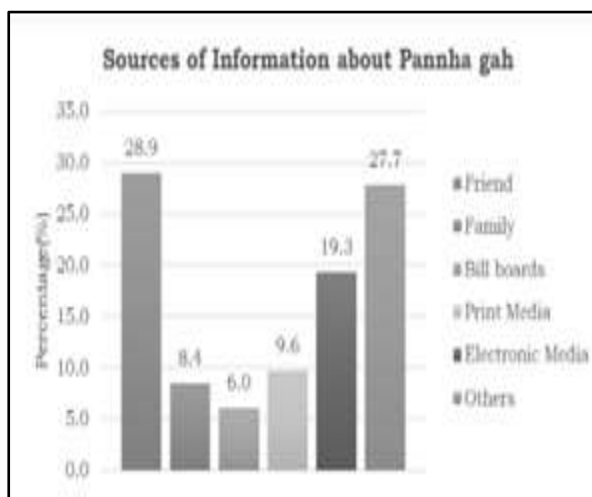
This graph shows that 24.5% of beneficiaries came to Lahore in search of labour, 29% for employment, 13.5% for daily labour, 8% for medical treatment and 4.5% of beneficiaries visited Lahore as students. Students and labourers can be allowed to stay more than three days but upon payment of nominal charges

Graph 3: District wise Residents

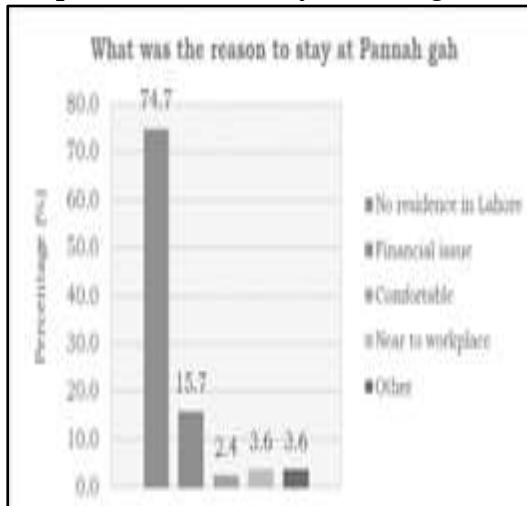


As evident from this graph, most of the residents travelled from Abbottabad followed by T.T Singh and Bahawalpur meaning thereby that most residents were from far off places, hence the need for the initiative is justified.

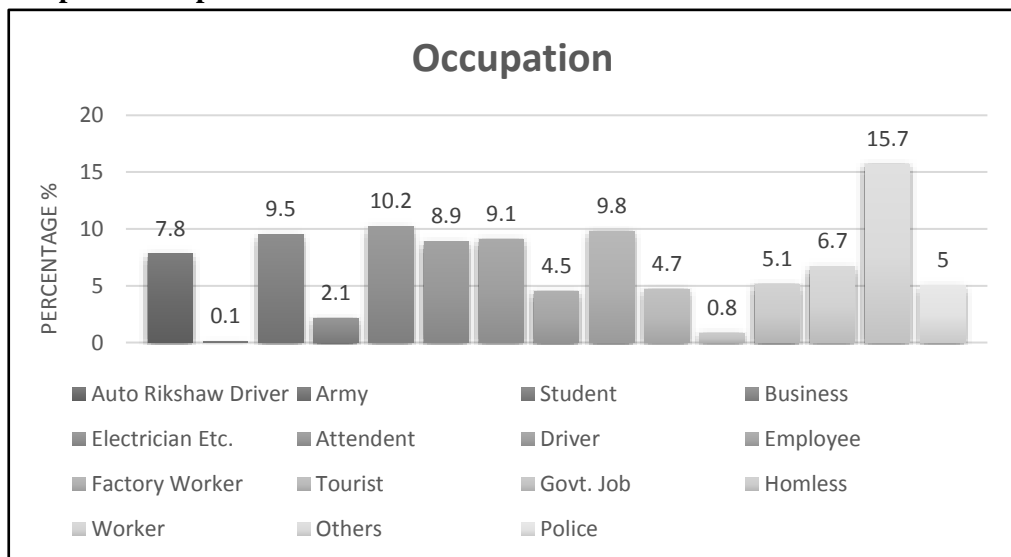
Graph 4: Sources of Information about Panahgahs



When asked about how they came to know about *Panahgahs*, the beneficiaries gave the following percentage wise responses. 28.9% came to know from a friend, 8.4% from family, 6% from billboards, 9.6% from print media, 19.3% from electronic media and 27.7% responded that they came to know from other sources

Graph 5: Reason to Stay at *Pannahgahs*

As evident from graph, 74.7% of the beneficiaries were those who had no residence in Lahore, while 15.7% said they had financial issues, 2.4% chose *Pannahgahs* because it was comfortable to stay there. 3.6% stayed at *Pannahgahs* because it was near to their workplaces. Hence, it is evident that the compelling factor for stay at *Pannahgahs* was not poverty alone and that there were other considerations too. This is also evident from the next graphical representation.

Graph 6: Occupation of Residents

The graph shows that residents were not necessarily homeless street sleepers, for whom the facilities were actually intended; other people also availed the facility. This is primarily because of the facility of a decent living space as well as dignity with which the residents are served.

2.2 Issues and Challenges

The rationale behind establishment of *Panahgahs* was to provide shelter to street sleepers, safety from extreme weather as well as from social exclusion. The *Panahgahs* dwellers are those who have a home in another city but are homeless in Lahore as the facility is not applicable to Lahore domiciled citizens.

2.2.1 Legal Gaps

No legal provision (Act or Rules) specifically governs establishment and operation of *Panahgahs* in Punjab. Moreover, there exist multiple systems of supervision, operation and maintenance in Lahore and other districts of Punjab, i.e., in Lahore and Taunsa Sharif the *Panahgahs* are being maintained by SW&BM department while these are being run by Deputy Commissioners in other districts with the help of non-profit organizations. Some projects of social welfare are being carried out by Punjab Social Protection Authority which functions under umbrella of P&D Board; there is no coordination between the two agencies. Lack of provincial policy and legal provisions as well as a uniform system of operation and maintenance also puts the sustainability of the project under question, especially given the fact that many political decisions and projects of predecessor regimes are either discontinued or scaled down; this was the case of Rescue 1122 and Surgical Tower of Mayo Hospital Lahore.

2.2.2 High Operational and Maintenance Standards

In Lahore and Taunsa Sharif, purpose built buildings with state of the art facilities have been constructed under the project. The maintenance of buildings is being done on high standards; this researcher visited *Panahgahs* in Lahore and found these to be clean, aerated, furnished with bunk beds and neat sheets and clean blankets. The washrooms, dining halls were also clean and disinfected. It is noteworthy that two *Panahgahs* were visited on an unannounced / surprise basis but the upkeep, cleanliness and standard of meals were same. All the operations of *Panahgahs* are being performed under supervision of a BS-17 Social Welfare Officer. The expense of janitorial services, utility bills and washing activities is being met by the department from its own budget. There are no nominal charges for the use of these facilities even by the ones who can afford to pay a nominal amount for this decent stay. There is no connection between the beneficiaries seeking employment and their employers.

It may not be viable to continue such expenditure on this initiative in the longer run if the national macroeconomic indicators do not change for better. The department is carrying out other welfare functions as old age homes, orphanages, *dar-ul-amaans*²¹, *Aafiat* etc. This project, being in the (political) focus of authorities, may end in

²¹ Shelter homes for destitute women.

stagnation or to the detriment of other existing programs without additional operational budget.

2.2.3 Informal Multi-agency Cooperation

The arrangement of meals for the inhabitants of *Panahgahs* is being done informally by the department in Lahore and by the district administrations in other districts of Punjab. There is no formal agreement, arrangement or MoU for cooperation with any organizations for this project. Since the start of *Panahgahs*, several non-government partners in small districts have demonstrated difficulty in complying with agreed-upon levels and measures of assistance. Hence, bolstered only by a non-binding apparatus, SW&BM department is cognizant of the reality that non-government partners can reduce or withdraw their support at any time. The lack of an enforceable framework for reliable network coordination prevents *Panahgahs* staff from knowing with confidence, whether or when necessary assistance will come through. These informal arrangements not only adversely impact quality, consistency, and efficacy in services and resources, but also act as hurdles in the ability to incorporate a newer set of services and options. Ultimately, the department has little choice but to continue its focus on delivery of the few resources and services within its control. In case of non-cooperation by these charitable institutions, provision of free meals to temporary residents will be an uphill task.

Punjab Social Protection Authority carried out an exercise for identifying various social programs which revealed that there are more than 100 social protection schemes being carried out in the Punjab by about 25 departments. A lack of coordination in these schemes clearly points to potential inefficiencies and wastage of resources.²²

2.2.4 Classification of Beneficiaries

The idea of *Panahgahs* was basically conceived to provide shelter to the street sleepers and the homeless. However, since drug addicts and persons with communicable diseases are not allowed, hence, as evident from data, all the beneficiaries do not necessarily belong to the lowest strata of society i.e., only 5% of them are permanently homeless, others have some kind of employment and a house in their hometowns. But all are treated same at *Panahgahs* and there is no fee or charge for utilization of the facility. One of the beneficiaries interviewed by the author had come from Sukkur, Sindh in search of employment; he informed that ‘truck hotels’ charge Rs. 60 for one single cot (*chaarpai*) per night in Lahore whereas the *Panahgahs* having much better facilities and ambience and are free of charge.

²² Punjab Social Protection Policy, Punjab Social Protection Authority, 2021 (1-44).

2.2.5 Study on Social Benefits of the Project

The PC-IV of the project developed by the Monitoring and Evaluation wing of the Planning and Development Board Punjab has been studied; this document mainly deals with the specifications of the concrete structure of the purpose-built *Panahgahs*, the facilities provided therein and the number of beneficiaries who availed the facility. Though it has provided a lot of facilitation to the attendants of patients in hospitals and travelers from other parts of the country, but there is no study/research into the economic, social and policy based benefits that have accrued from this project, especially the reduction in the number of street sleepers.

Section III

Comparison with Other Countries

Street homelessness is becoming a pronounced part of urban landscapes all over the world. Numerous cities in the world have become testing grounds for governments to introduce reforms and initiatives to address the needs of street sleepers. A comparative study of initiatives taken by the governments of four countries for providing shelter to the urban homeless has been made. The aim of this comparison is to see what governmental or non-governmental apparatuses have been used for re-integrating street sleepers into society and reducing their number and how far these mechanisms have proved effective.

3.1 Rain Baseras/Night Shelters for Homeless in Delhi

The National Capital Territory/ Government of Delhi under the directions of Supreme Court of India in its order dated 27th Feb, 2012 came up with the scheme of Shelters for Urban Homeless (SUH) and the Ministry of Housing and Urban Population Development notified the Operational Guidelines for SUH. Under these guidelines, the Delhi government has developed a system of shelters for the homeless under supervision of a Supreme Court monitored committee a few years back.

Delhi Urban Shelter Improvement Board (DUSIB), an authority formed under DUSIB Act, 2010 has been assigned the ‘role of establishing the rain baseras’ and looking after the *jhuggie jhomprie* squatter settlements / clusters by way of provision of civic amenities and their resettlement too. There are 150 night shelters in Delhi, 66 are permanent while the rest are temporary. These shelter homes are being run by different NGOs under the supervision of DUSIB.²³ These may comprise of concrete buildings, porta cabins or, in some instances, tents also. There is no fee charged from the residents. They are provided with lunch and dinner and the stay is as long as a resident desires.²⁴

²³ Delhi Urban Shelter Improvement Board, List of Shelter Homes https://delhishelterboard.in/main/?page_id=2100.

²⁴ Delhi Urban Shelter Improvement Board, “Frequently Asked Questions” under Rain Baseras https://delhishelterboard.in/main/?page_id=12026 accessed on 30-11-2021.

However, a research study by Shankey Verma suggests that there was a diversity in the inhabitants from beggars to medical students; the prevalent living conditions in *rain baseras* are far from the ideal (officially) described. Some of the shelters did not have beds but “*daris*” (floor spreads) to sleep on and dirty blankets. The residents of some shelter homes said that they bring food from outside and sometimes food is donated/distributed by people or they received *bhandara* or *prasad* (temple handouts) meaning thereby that there was no uniform system of provision of meals in shelters across Delhi.²⁵ The Hans of India reported on 08 August 2021 that Arwind Kejriwal has stated that AAP government will provide free cooked food at night shelters for the homeless.²⁶ Hence there is some legal backing to the system, but no uniform system for provision of food and facilities to the residents of *Rain Baseras* in Delhi.

3.2 Anjung Singgah for Kuala Lumpur Malaysia²⁷

In Kuala Lumpur, the federal Social Welfare Department (SWD) in 2010 began with a street census of the city identifying 1,387 persons as homeless, 64% of whom stated unemployment or low-income as the primary contributing factor for their homelessness. Ministry of Women, Family, and Community Development (MWFC) Malaysia established a pilot transitional home called Anjung Singgah in Kuala Lumpur in April 2011, with the objectives of (i) reintegrating homeless persons into society and (ii) reducing their overall number. This shelter is being administered under a government-linked charitable organization, the National Welfare Foundation (NWF), and provides employment referrals, counselling, meals and other forms of assistance limited to a two-week period. In its first year, the pilot project saw nearly 500 clients and became the model for a series of other government-initiated shelters, also named Anjung Singgah.

A Standard Operating Procedure (SOP) authorized by the MWFC and NWF provides Anjung Singgah’s overarching mission, objectives, strategies, operational framework and performance indicators. The provision of food, shelter and work stands as the prime operative mechanism for achieving this aim, based in part on consultation with NGOs. MWFC has devolved administration including responsibility for covering necessary operational expenses to NWF which seeks to hand over key operations such as meal provision, counselling and medical care to other actors in an extensive cooperative network. Consequently, within the present structure, NWF has negligible influence and control over partners and resources. Further, in the absence of a government policy on homelessness that assigns responsibility for and ensures quality and uniformity in

²⁵ Shankey Verma, Vartika Srivastava. "Urban Homelessness and basera/shelters: an evaluative study conducted during winter in NCT Delhi." *Journal of Social Distress and the Homeless*, 2019.

²⁶ Hans News Service, The Hans India, 8 August, 2021 <https://www.thehansindia.com/news/national/aap-government-to-provide-free-cooked-food-at-night-shelters-for-the-homeless-700535> accessed on 11-12-2021.

²⁷ Rusenko, Rayna M. "Homelessness, Human Insecurities and the Government Agenda in Malaysia." *Asian Journal of Social Science*, 2014: 45-74.

action, Anjung Singgah as an institution and its partners tend to operate in an *ad hoc* and unguided fashion with only a loose control of the government.

Eligibility criteria include being a Malaysian citizen, aged 18+ and not being a drug or alcohol addict. The facility is provided for two weeks to clients to start their journey of reintegration into the social and economic mainstream.

3.3 PATH for Homeless in New York, United States²⁸

The Department for Homeless Services (DHS), City of New York has developed temporary shelters for homeless families (PATH or Prevention Assistance and Temporary Housing) and homeless adults (Adult Intake Center). The mission statement provides for prevention of homelessness and provision of safe temporary shelter to address street homelessness and connect New Yorkers experiencing homelessness to suitable housing. They claim doing this with accountability, empathy, and equity.

DHS is an agency with 2,000 employees and has an annual operating budget of over US\$ 2 billion. It collaborates with twenty “providers” which are NGOs for maintenance of shelter homes. It employs multiple innovative strategies to help families and individuals successfully exit shelter and return to self-sufficiency as quickly as possible. DHS requires shelter inhabitants to gain employment, connect to work supports and other public benefits, save their income, and search for housing, to better prepare for independent living. The following documents required for entry to shelter homes along with identity documents:

- Eviction papers or marshal's notice
- Leases
- Con Edison or telephone bills
- Pay stubs or proof of income

The data of persons served per day is regularly updated on the official website; an average 45000-46000 persons are served per day.²⁹ The focus is on re-employment of shelter-less persons/families and access to affordable housing for the quick re-integration of the homeless in the society. The average length of stay is over 400 days and families who do not qualify for a subsidy have to pay their own rent.

The table below shows the comparison of these countries in different aspects; it is very clear that focus in Malaysia and US is on re-integration of homeless in society so that they don't have to avail the facility of shelter home repeatedly. This facility is missing

²⁸ Department of Homeless Services, “NYC Inside DHS” <https://www1.nyc.gov/site/dhs/about/inside-dhs.page> accessed on 21-11-2021.

²⁹ Department of Homeless Services, “DHS Homeless Shelter Census” <https://data.cityofnewyork.us/Social-Services/DHS-Homeless-Shelter-Census/3pjq-ncn9/data> accessed on 21-11-2021.

in *Panahgahs* although many beneficiaries of *Panahgahs* come to Lahore for seeking employment. The ICT based system of entry to *Panahgahs* GMIS can help in this regard. Further, the time for stay is the least in Pakistan; hence, some persons stay for three days in one *Panahgahs* and then move to the next for next three days and so on. As informed by one of the Social Welfare Officers, stays for more than three days trigger quarrels among the inhabitants on petty issues.

	Pakistan	Malaysia	India	US
City under study	Lahore	Kuala Lumpur	Delhi	New York
Name of Shelter home	<i>Panahgahs</i>	Anjung Singgah	Rain Basera	Prevention Assistance & Temporary Housing (PATH)
Law/Rules governing the initiative	No formal law	No formal law	Delhi Urban Shelter Improvement Board Act, 2010	The City of New York (statutes)
Reasons for Urban Homelessness	Unemployment, travelling for medical reasons	Unemployment, low-income, old age, drug addiction	Lack of affordable housing, unemployment	Lack of affordable housing, living wages and poverty.
Umbrella Agency	Social Welfare & Baitul Mal Dept., Govt. of the Punjab	Ministry of Women, Family, and Community Development (MWFCD)	Delhi Urban Shelter Improvement Board	Department of Homeless Services, DSS, NYC
No. of days for which stay is allowed	3 days	15 days	Unlimited	10 days
Complaint Redressal System	PM Portal, CM portal	NA	Toll free no. 14461	311 emergency number
Collaboration with potential employers	No	Yes	No	Yes

Conclusion

The establishment of *Panahgahs* has taken several shelter-less lives off the benches of hospitals, streets, roads and railway stations. However, it has not necessarily benefitted the target population from the lowest strata of society towards improving their lives. Three elements are a pre requisite for a comprehensive and sustainable approach for addressing the homelessness issue:

- (i) Adequate funding for any long-term strategy to tackle and end homelessness
- (ii) Political commitment at all levels (national, regional and local)
- (iii) Public support generated through information and awareness campaigns

Although NGOs have come forward for providing meals to *Panahgahs*, this is not a sustainable model. *Panahgahs* could prove to be a promising development for reducing homelessness if coordination between all social protection schemes is developed for long term evidence based policy decisions.

Way Forward

Based on the data analysis and discussion above, following recommendations may be adopted:

1. SW&BM department should not only undertake legislative action but also development of a policy and strategy for overcoming homelessness in consultation with the Local Government Department and all the various offices currently managing the *Panahgahs* initiatives. Without legislative support no initiative is sustainable.
2. A feedback mechanism should be developed by involving officials of the district governments, relevant departments and NGOs for sustainable funding streams. Funding opportunities, programs, and best practices of counties with similar challenges should be reviewed for developing recommendations on responding to homelessness through an improved and innovative, financially sustainable manner without compromising the already meagre financial resources of the country.
3. An IT solution – Homeless Management Information System – may be developed to serve as an interface for all the agencies working on the *Panahgahs* initiative. There should be a database of potential employers and their employee requirements to match potential candidates amongst the unemployed. For instance, contractors who execute capital development of C&W department may be bound to get a certain percentage of labour from *Panahgahs*.
4. Persons who are already employed and availing the facility may be required to pay a service charge (based on an objective criteria.)

5. An enforceable mechanism for communication, coordination and mutual capacity building between government departments and NGOs in the project framework be developed. The NGOs desirous of working with the government on *Panahgahs* may be asked to sign a MoU for operations of *Panahgahs* for a certain time period and role of government may be limited to oversight, quality and connecting the employee and employer.
6. Concerted efforts to maintain and update data on homelessness be undertaken. Effective long term policy formulation cannot be done without addressing the root causes of the issue. The current initiative is like symptomatic treatment of an ailment. Interventions in areas identified as root causes may help address the issue.
7. As the project is a social welfare initiative, its social benefit/cost ratio must be studied and improvements and innovations suggested and implemented upon that basis.

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The Bowry Mission. November 2020. <https://www.bowery.org/homelessness/> (accessed November 20, 2021).

Municipal Service Delivery in Small Cities of Punjab

Adnan Mahmood Awan¹

Introduction

With an urbanization rate of 2.7 percent over the past two decades,² Pakistan is one of the most rapidly urbanizing countries in the world.³ According to 2017 Census, 75 million persons out of a total population of 207 million or some 36 percent lived in urban areas as compared to 45 million in 1998.⁴ According to available data, by 2030, around half of Pakistan's population will live in urban areas.⁵

There are three major reasons driving urbanization in the country: growth of the native population of the cities which too is growing at the same 2.7 percent per annum,⁶ rural-urban migration,⁷ and reclassification of rural areas into urban.

Punjab is the most populous province of the country with 53 percent of its population. It had a total population of 110 million in 2017, out of which over 40 million were urban dwellers.⁸ While at present, only seven percent of the urban dwellers in Punjab live in small cities, having populations between 100,000 and 250,000, the share of the urban population living in small cities in Punjab is expected to almost double to 13 percent over the next 30 years.⁹ All the same, small cities have largely been ignored in both academic and policy discourses relating to municipal service delivery (MSD). Owing to limited infrastructure and enhanced pressure due to increasing population, service delivery in small cities of Punjab is coming under pressure.

¹ 32nd MCMC.

² Pakistan Bureau of Statistics, *Provisional Summary Results of 6th Population and Housing Census-2017*, October 22, 2021, <https://www.pbs.gov.pk/content/provisional-summary-results-6th-population-and-housing-census-2017-0> (accessed October 22, 2021).

³ UNDP Pakistan, *Sustainable Urbanization*, May 8, 2019, https://www.pk.undp.org/content/pakistan/en/home/library/development_policy/dap-vol5-iss4-sustainable-urbanization.html (accessed October 25, 2021).

⁴ Pakistan Bureau of Statistics, *Provisional Summary Results of 6th Population and Housing Census-2017*, October 22, 2021, <https://www.pbs.gov.pk/content/provisional-summary-results-6th-population-and-housing-census-2017-0> (accessed October 22, 2021).

⁵ The Urban Unit, *Punjab Spatial Strategy 2047-Technical Paper 3 Cities and regions*, Lahore: The Urban Unit, Planning and Development Department, Government of the Punjab, 2019.

⁶ The World Bank, *Urban population growth (annual %) - Pakistan*. n.d., <https://data.worldbank.org/indicator/SP.URB.GROW?locations=PK> (accessed October 22, 2021).

⁷ Nasira Jabeen, U. Farwa, and M. Jadoon, "Urbanization in Pakistan: a governance perspective", *Journal of the Research Society of Pakistan* 54.1, 2017: 127-136.

⁸ Pakistan Bureau of Statistics, *Provisional Summary Results of 6th Population and Housing Census-2017*, October 22, 2021, <https://www.pbs.gov.pk/content/provisional-summary-results-6th-population-and-housing-census-2017-0> (accessed October 22, 2021).

⁹ The Urban Unit, *Punjab Spatial Strategy 2047-Technical Paper 3 Cities and regions*, Lahore: The Urban Unit, Planning and Development Department, Government of the Punjab, 2019.

MSD has a direct relationship with reducing poverty and achievement of several targets under the Sustainable Development Goals (SDGs). Therefore, it is important that gaps in this respect are identified and service delivery to the citizens is improved by bridging these gaps.

Statement of the Problem

Out of the total population of 110 million of Punjab, 40 million live in urban areas. Due to increase in urban populations, the quality and coverage of essential municipal services to the urban dwellers of Punjab is low. The situation is of particular concern in small cities of the Punjab because of inadequate infrastructure. Additionally, their local governments have insufficient capacity to plan and deliver services. Remedial action to alleviate such challenges seems to be limited, if not totally missing, as the focus of the Government of the Punjab and its international development partners has been, for the most part, on improving the municipal infrastructure of large urban centers while largely ignoring small cities.

It is, therefore, important to understand the current situation of the delivery of essential municipal services in small cities of Punjab, the issues and the challenges involved, and how service delivery can be improved at the operational level.

Scope and Significance of the Study

The scope of this study is limited to investigating MSD in the small cities of Punjab. For this research, service delivery in four sectors including water supply, sewerage, solid waste management and urban mobility has been considered through a sample of four small cities.

This study is significant because MSD is directly related to achievements of several targets under the SDGs. Furthermore, small cities have largely been ignored so far in the academic and policy discourses, as opposed to the large cities, despite their growing importance.

Review of the Literature

There is a dearth of literature on MSD in small cities of Punjab. There is just one case study available on community-government partnership for provision of drinking water in Bhalwal.¹⁰ However, considerable work has been done on large cities, for example, on evaluating the efficiency of major local governments,¹¹ solid waste management

¹⁰ Muhammad Naveed Iftikhar, Shujat Ali, and Andrea Sarzynski, "Community-government partnership for metered clean drinking water: A case study of Bhalwal, Pakistan", *Climate Change in Cities*, 2018: 163-179.

¹¹ Arfan Ali, Waqas Riaz, Sajjad Ahmad Baig, Shah Nawaz Saqib, and Abdul Sami, "Evaluating the Efficiency of Major Local Governments of Punjab (Pakistan) in Revenue Generation by Using a Yardstick Approach", *Abasyn Journal of Social Sciences – Special Issue*, 2017: 226-233.

(SWM) in Lahore,¹² and the challenges and opportunities of urbanization in Lahore.¹³ The reports from international development partners such as United Nations, World Bank and Asian Development Bank are also mostly focused on large cities. For example, UN-Habitat's *State of Pakistani Cities 2018* mostly discusses the large urban centers.¹⁴

A few urban sector projects of the World Bank have focused on small cities. These include the Punjab Municipal Service Improvement Project (PMSIP)¹⁵ and the Punjab Cities Program (PCP).¹⁶ The reports available through these projects have analyzed MSD in many small cities of Punjab.

Methodology

The research methodology is based on a mix of descriptive, quantitative, qualitative, and analytical methods. Both primary and secondary sources of data were utilized.

Out of a total 38 small cities of Punjab, a convenience sample of four small cities—Bahawalnagar, Burewala, Hafizabad and Wazirabad—was taken to draw inferences about such small cities. The reports on municipal infrastructure and service delivery in the selected cities provide the necessary basis for understanding the current situation of MSD and gaps therein.

In order to gather primary data, records of the Municipal Committees (MCs) were reviewed. Interviews were conducted with the Chief Officers (COs) of the two MCs of Bahwalnagar and Hafizabad, the Deputy Project Director of PCP, and the Senior Environmental and Social Specialist of the Urban Unit, Punjab. The secondary sources of data included reports prepared by the international financial institutions, various articles, and sources available on the internet.

Organization of the Paper

This research paper is divided into two sections. The first deals with urbanization trends. It also defines the small city and highlights the importance of MSD. The second section analyzes the current state of municipal services, the gaps in service delivery

¹² Maryam Masood, Claire Y. Barlow, and David C. Wilson, "An assessment of the current municipal solid waste management system in Lahore, Pakistan", *Waste Management & Research* 32.9, 2014: 834-847.

¹³ Irfan Ahmad Rana and Saad Saleem Bhatti, "Lahore, Pakistan—Urbanization challenges and opportunities", *Cities*, 2018: 348-355.

¹⁴ UN-Habitat, "State of Pakistan Cities report 2018", *UN-Habitat*. 2018. <https://unhabitat.org/state-of-pakistan-cities-report-2018> (accessed November 11, 2021).

¹⁵ The World Bank, *Operations Portal*. n.d., <https://operationsportalws.worldbank.org/Pages/DocSearch.aspx?projectId=P083929&k=concept> (accessed November 11, 2021).

¹⁶ The World Bank, *Punjab Cities Program*. n.d., <https://projects.worldbank.org/en/projects-operations/project-detail/P156972> (accessed November 11, 2021).

and discusses the challenges to better service delivery. These two sections are followed by conclusion and recommendations.

Section I

Urbanization Trends and Municipal Service Delivery in Small Cities

1.1 Urbanization Trends

We are living in an increasingly urbanized world. By 2020, 56 percent of the global population lived in urban spaces.¹⁷ The number of people living in urban areas worldwide is expected to grow to 68 percent by 2050.¹⁸ In comparison, only 30 percent of the world's population lived in urban areas in 1950.

In line with the global trend, Pakistan is also urbanizing rapidly at an annual rate of 2.7 percent,¹⁹ which is one of the highest in Asia.²⁰ Based on the National Population Census 2017, 36 percent of Pakistanis lived in urban areas.²¹ At the present rate, it is expected that nearly half of the country's population will be living in the urban areas by 2030.²² Punjab is following the national trend. Out of a total population of 110 million, 40 million or 36 percent live in urban areas. From 1997 to 2018, the urban population in Punjab grew at an annual rate of 2.74 percent. This is expected to grow to 92 million people by 2047.²³

1.2 What is a Small City?

Cities are usually classified into mega, large, intermediate, or small based on population. However, it's difficult to find a consistent classification. Existing classifications vary between countries and over time. Different countries and academics use different labels such as small or intermediate for cities of the same level. For example, the Punjab Intermediate Cities Improvement Investment Program classifies a city with population between 250,000 and one million as an intermediate

¹⁷ United Nations Department of Economic and Social Affairs, "World Urbanization Prospects 2018", *Department of Economic and Social Affairs: Population Dynamics*. n.d., <https://population.un.org/wup/Publications/Files/WUP2018-Highlights.pdf> (accessed October 30, 2021).

¹⁸ Ibid.

¹⁹ The World Bank, *Urban population growth (annual %) - Pakistan*. n.d., <https://data.worldbank.org/indicator/SP.URB.GROW?locations=PK> (accessed October 22, 2021).

²⁰ The Urban Unit, *Punjab Spatial Strategy 2047-Technical Paper 3 Cities and regions*, Lahore: The Urban Unit, Planning and Development Department, Government of the Punjab, 2019.

²¹ Pakistan Bureau of Statistics, *Provisional Summary Results of 6th Population and Housing Census-2017*, October 22, 2021, <https://www.pbs.gov.pk/content/provisional-summary-results-6th-population-and-housing-census-2017-0> (accessed October 22, 2021).

²² The Urban Unit, *Punjab Spatial Strategy 2047-Technical Paper 3 Cities and regions*, Lahore: The Urban Unit, Planning and Development Department, Government of the Punjab, 2019.

²³ Ibid.

city.²⁴ Some studies have used the term “medium-sized city” to refer to cities such as Abbottabad with a population around 200,000 or to Sargodha with a population over 500,000.²⁵ For the purpose of this research, the population-based ranking of cities of Punjab done by the Urban Unit, Punjab is used. According to this classification a small city is the one which has population between 100,000 and 250,000.²⁶ There are 38 such cities based on the 2017 Census, including Attock, Bahawalnagar, Burewala, Chishtian, Hafizabad, and Haroonabad, etc.

Urbanization is often thought to be only manifested in the large cities of Punjab. This is not without reason. The population of Lahore and the four large cities of the province makes up 52 percent of its urban population.²⁷ Yet, small cities should not be ignored in the urbanization discourse. These cities are also rapidly growing in population and size. Research suggests that by 2047, there will be 73 small cities in Punjab housing about 13 percent of the province’s population.²⁸

1.3 Importance of Municipal Services

Municipal services can be understood to include water management, solid waste management (SWM), sewerage, and transportation.²⁹ These four services are essential to sustain quality of life in urban areas. Several goals under the United Nations’ SDGs 2030 highlight the importance of providing municipal services to citizens in a sustainable way. For example, the targets under the SDG 11 that reads “Make cities and human settlements inclusive, safe, resilient and sustainable”, focus on achieving sustainable urbanization and provision of basic services to the citizens.³⁰ Goal 6 is specifically related to provision of clean drinking water and sanitation to all. Similarly, Goal 12 aims to reduce waste generation and its sound management to avoid its negative impacts on human health. A lack of any type of municipal service can reduce the quality of life of residents, limiting their human and economic capabilities and damaging the environment. Pakistan is committed to achieve the targets set under the SDGs. Therefore, provision of municipal services to citizens is very important to fulfill the country’s commitments under SDGs 6,11 and 12. They are also indirectly related to the achievement of several other SDGs.

²⁴ Asian Development Bank, Pakistan: Punjab Intermediate Cities Improvement Investment Program, September 6, 2016, <https://www.adb.org/projects/46526-001/main#project-pds> (accessed October 30, 2021).

²⁵ Masood Sarwar Awan and Nasir Iqbal, *Determinants of Urban Poverty: The Case of Medium Sized City in Pakistan*, Islamabad: Pakistan Institute of Development Economics, 2010.

²⁶ The Urban Unit, *Punjab Spatial Strategy 2047-Technical Paper 3 Cities and regions*, Lahore: The Urban Unit, Planning and Development Department, Government of the Punjab, 2019.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Asian Development Bank, Pakistan: Punjab Intermediate Cities Improvement Investment Program, September 6, 2016, <https://www.adb.org/projects/46526-001/main#project-pds> (accessed October 30, 2021).

³⁰ United Nations, *Sustainable Development Goals*. n.d., <https://www.un.org/sustainabledevelopment/sustainable-development-goals/> (accessed November 11, 2021).

1.4 Legal and Institutional Framework of MSD in Small Cities of Punjab

Under Section 81 of the Punjab Local Government Act (PLGA) 2013, urban local governments (LGs) are mandated to provide municipal services.³¹ All the local governments, however, are required to work within the provincial framework under the PLGA 2013. The Local Government and Community Development Department (LG&CDD) of the provincial government oversees the functions of local governments. According to the PLGA 2013, cities having populations between 30,000 and 500,000 have Municipal Committees (MCs) as their local governments.³² Therefore, each small city in Punjab has an MC. These MCs are body corporates and are headed by an elected Chairman, who is the executive head of the MC. He is assisted by a Chief Officer (CO), who is responsible for coordinating the functions of the MC.

An important distinction regarding MSD between large and small cities is that, in most large cities, there are specialized agencies dealing with delivery of services. For example, the WASAs (water and sanitation agencies) deal with provision of water and sanitation. SWM is the responsibility of companies such as Lahore Waste Management Company (LWMC). However, in small cities the MCs themselves undertake all municipal functions.

Historically, in Punjab and in other provinces of Pakistan as well, provincial governments have been reluctant to run local governments through elected representatives. This is primarily because politicians at the provincial level view local elected representatives as their competitors who reduce their relevance and power.³³ They prefer that provincial government-appointed administrators (who are generally civil servants) run the affairs of local governments as civil servants and thus fully under the control of the provincial governments. Hence they can be manipulated at will. Thus provincial governments have never devolved political, administrative, and financial authority to the elected local government representatives as required under Article 140A of the Constitution of Pakistan.³⁴

Furthermore, local governments in Punjab have very limited functions as compared to other countries. For example, local governments in Punjab spend only 5 percent of the total public spending as compared with 30 percent in India.³⁵

³¹ Government of the Punjab, "PUNJAB LOCAL GOVERNMENT ACT 2013", *Punjab Code*, n.d., https://punjabcode.punjab.gov.pk/en/show_article/BDwCMQA2VWw- (accessed November 11, 2021).

³² Ibid.

³³ Ali Cheema, Adnan Q. Khan, and Roger Myerson, "Breaking the countercyclical pattern of local democracy in Pakistan", *Unpublished manuscript*, 2010.

³⁴ Asmat Kakar, *Local government and Pakistan's reluctant political elite*, March 16, 2017, <https://blogs.lse.ac.uk/southasia/2017/03/16/local-governments-and-pakistans-reluctant-political-elite/> (accessed November 10, 2021).

³⁵ Ming Zhang, *Local elections in Pakistan: A chance to improve public services*, December 22, 2015, <https://blogs.worldbank.org/endpovertyinsouthasia/local-elections-pakistan-chance-improve-public-services> (accessed November 15, 2021).

Section II

Overview of Municipal Service Delivery in Small Cities of Punjab

To understand the current levels of MSD in the small cities of the Punjab as well as gaps and related challenges therein, a sample of four of the 38 small cities of the Punjab has been selected. These cities include Bahawalnagar, Burewala, Hafizabad and Wazirabad and are representative of the situation prevailing in small cities all over the province.

The table below provides a brief overview of the demographics of these cities.

Table 1: Demographics of the Selected Cities³⁶

City	Population (2017)	Population Growth Rate (1998-2017)
Bahawalnagar	160,883	1.96%
Burewala	232,030	2.24%
Hafizabad	245,751	3.25%
Wazirabad	128,096	1.86 %

Four essential services namely water supply, sewerage, SWM and roads have been examined. The assessment of each function is given below:

2.1 Water Supply

2.1.1 Current Situation

For municipal water supplies, all the selected cities rely on the water extracted through tube wells. The water supply systems do not extend to the whole municipal limit in any of these cities with coverage varying from 18 percent of the city area in Burewala to a maximum of 65 percent in Hafizabad.^{37 38} Supply hours vary from 3 hours/ day in Bahawalnagar to 7.5 hours per day in Wazirabad. Water quantity ranges from 15.5 gallons per capita per day (GPCD) in Bahawalnagar to 37.5 GPCD in Hafizabad.³⁹

³⁶ Pakistan Bureau of Statistics, "Final Results of Census-2017", n.d., https://www.pbs.gov.pk/sites/default/files/population_census/census_2017_tables/punjab/Table02p.pdf (accessed October 20, 2021).

³⁷ Municipal Comiittee Burewala, *Service Delivery Detail*. n.d, <http://www.mcburewala.lgpunjab.org.pk/SDD.html> (accessed November 30, 2021).

³⁸ Municipal Comiittee Hafizabad, *Service Delivery Detail*. n.d, <http://www.mchafizabad.lgpunjab.org.pk/SDD.html> (accessed November 30, 2021).

³⁹ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

Although reservoirs for water storage are available in Bahawalnagar and Burewala, most of these have been abandoned or are in need repair. In Bahawalnagar, nine out of 16 reservoirs are functional while in Burewala, only one out of 13 is functional.⁴⁰ The water tariff structure is different for domestic and commercial consumers. For domestic connections, the tariff ranges from Rs. 100 to 1200, while for commercial consumers it is between Rs. 200 to 3000.^{41 42} The table below summarizes the water supply situation in the selected cities:

Table 2: Summary of Water Supply in the Selected Cities⁴³

City	Coverage (%)	Functional Tube Wells (No.)	Connections (No.)	Supply Timings (Hrs.)	Tariff (Rs.)		O&M Recovery (2013-18) (%)	Subsidy (2013-18) (Million Rs.)	Daily Water Supply (GPCD)
					Dom	Com			
Bahawalnagar	65	18	19458	3	100	200	28.22	165.48	37.5
Burewala	57	25	7278	5	1200	3000	6.2	219.17	15.5
Hafizabad	18	8	4451	5	200	400	10.86	68.94	21
Wazirabad	60	15	8425	7.5	175	500	37	110.7	32

2.1.2 Gaps in Service Delivery

Significant proportions of these cities, ranging from 82 percent in Hafizabad to 35 percent in Bahawalnagar remain outside water supply coverage.⁴⁴ In Hafizabad and Burewala, the quantity of water extracted and supplied is significantly less than the standard of 33 GPCD of the Punjab Public Health Engineering Department (PHED).⁴⁵ The MCs end up wasting a lot of energy while operating the tube wells for water production as energy conservation principles are not adhered to.⁴⁶ Furthermore, the existing tariff structure does not even cover the operation and maintenance (O&M) cost of the water supply system. The MCs of these cities subsidize the water supply heavily. As shown in Table 2, subsidies during the five years from 2013 to 2018 range from Rs. 68.94 million in Hafizabad to Rs. 219.17 million in Burewala. Such huge subsidies are not sustainable because these respectively constitute 25 and 60 percent of the total revenue receipts of these cities in Financial Year (FY) 2020-21. The total revenue receipts for Hafizabad and Burewala were Rs. 270.13 million and Rs. 360.74 million

⁴⁰ Ibid.

⁴¹ Municipal Committee Bahawalnagar, *Service Delivery Detail*. n.d, <http://mcbahawalnagar.lgpunjab.org.pk/> (accessed November 30, 2021).

⁴² Municipal Committee Burewala, *Service Delivery Detail*. n.d, <http://www.mcburewala.lgpunjab.org.pk/SDD.html> (accessed November 30, 2021).

⁴³ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

⁴⁴ Ibid.

⁴⁵ The Urban Sector Planning and Management Services Unit (Pvt.) Ltd, "Design Criteria for Water", *Punjab Cities Governance Improvement Project*. n.d, <https://pcgip.urbanunit.gov.pk/D2017/Design%20Criteria%20of%20WASAs.pdf> (accessed November 4, 2021).

⁴⁶ Abid Hussainy, *Senior Specialist, Environmental and Social Safeguards, The Urban Unit*, interview by Author, Lahore, 6 November, 2021.

respectively in the FY (including Provincial Finance Commission provision but excluding the PCP grant from the World Bank).^{47 48} The quality of water supplied is also not good in most of the areas of these cities. The complaint of contaminated water is very common because the distribution networks comprise old and rusted pipes.⁴⁹

2.1.3 Challenges

Based on the analysis above, following are a few major challenges, related to water supply, in small cities of Punjab:

First, extension of the water supply coverage to the unserved areas is important and very challenging. It requires huge investments which exceed the resources of these cities as well as the provincial government.

Second, the existing distribution network is old and dilapidated. It is resulting in wastage of water in the form of non-revenue water (NRW). It is also a source of water contamination.⁵⁰ The distribution network needs to be rehabilitated, an effort that is capital intensive.

Third, the existing tariff structure is insufficient to cover even the O&M costs. For political reasons, the government doesn't allow the municipalities to increase tariffs.⁵¹ Furthermore, due to the fixed tariffs, consumers tend to waste water.

2.2 Sewerage

2.2.1 Current Situation⁵²

The sewerage network of the selected cities extends to 60-70 percent of their areas. The length of the sewerage network ranges from 17.25 km in Wazirabad to 97 km in Burewala. The sewerage network in each city is served by several disposal stations. The MCs charge nothing or very little tariff (of around Rs. 220 per annum) and this too is levied only on a small fraction of the total households connected to the sewers. All the MCs have suction pumping machines available; some have jetting and winching machines too. Both main and branch sewers are available on main roads and streets, but most of the streets do not have lateral sewers. The table below summarizes the current situation of sewerage in the four selected cities:

⁴⁷ Municipal Corporation Burewala, "Budget For The Year 2020 - 2021", Burewala, 2021.

⁴⁸ Municipal Corporation Hafizabad, "Budget For The Year 2020 - 2021", Hafizabad, 2021.

⁴⁹ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

⁵⁰ Ibid.

⁵¹ Umar Mukhtar, *Chief Officer, Municipal Committee, Bahawalnagar*, interview by Author, Lahore, 7 November, 2021.

⁵² Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

Table 3: Summary of Sewerage Situation in the Selected Cities

City	Coverage (%)	Length (Km)	Machinery	Connections (No.)	Tariff (per annum)	O&M Recovery (%)	Subsidy (2017-18) (Rs. Million)
Bahawal-nagar	60	97	01 Suction machine 01 Jetting machine	718	200	046	106.98
Burewala	70	44	02 Combined Suction and Jetting	4670	250	0.56	85.12
Hafizabad	69	41	01 Suction machine 01 Winching machine	14874	0	0	32.47
Wazirabad	65	17.25	01 Suction	6000	0	3	33.03

(Some information in this table has been obtained from the websites of the MCs.)

2.2.2 Gaps in Service Delivery⁵³

About 30 to 40 percent areas remain unserved in these cities. Streets do not have lateral sewers. None of these cities has a wastewater treatment plant. Waste water is discharged untreated into rivers or streams or is used for irrigation purposes which is extremely dangerous for the environment. Choking or partial choking of the sewer lines is a common problem in all these cities. This results in overflow of wastewater which damages public and private properties and hinders mobility. Furthermore, a very small proportion of the households is accounted for as far as the number of official connections is concerned. Only such officially connected households end up paying the annual charges. The tariff is also extremely low which hardly makes any contribution to the O&M expenses of the MCs. Consequently, the MCs are required to bear these expenses.

2.2.3 Challenges

Extension of the sewerage networks to unserved areas, environmental degradation resulting from the wastewater and maintenance of the existing sewerage networks are major challenges for these cities.⁵⁴ Addressing these issues requires huge investments.⁵⁵ The MCs in these cities also complain about the shortage of human

⁵³ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

⁵⁴ Abid Hussainy, *Senior Specialist, Environmental and Social Safeguards, The Urban Unit*, interview by Author, Lahore, 6 November, 2021.

⁵⁵ Engr. M. Iftikhar Rasool, *General Manager (Engg.)/ Deputy Project Director Punjab Cities Program*, interview by Author, Lahore, 8 November, 2021.

resources as their resources have not kept up with the increasing population growth of the cities.⁵⁶

2.3 Solid Waste Management (SWM)

2.3.1 Current Situation⁵⁷

The coverage of the SWM services ranges from 22 percent of the city area in Hafizabad to 70 percent area in Bahawalnagar. The rest of the areas in these cities are either partially covered or are unserved. These cities generate between 55 and 120 tons of waste every day. Out of the total waste generated, 49 to 80 percent is disposed of in different cities. Only Bahawalnagar has a landfill site. The other cities resort to open dumping at a dumping site, for example, Burewala and Wazirabad or along the roads in case of Hafizabad. There are no proper collection points in the city and many areas are inaccessible due to narrow streets.⁵⁸ Overall condition of SWM in all these cities is unsatisfactory.⁵⁹ The table below summarizes the current situation of sewerage in the four selected cities:

Table 4: Summary of SWM Situation in the Selected Cities⁶⁰

Name of City	Coverage (%) F=full; P=partial N= none			Waste Generation(G)/ Disposal (D)			Open Dump- ing(O)/ Land- fill(LF)	Sanita- tion Fee	Subsidy {2017- 18} {Rs. mil.}	Level of Service Delivery
	F.	P.	N.	G.	D.	%				
Bahawalnagar	55	12	33	120	66	55	O	Nil	121.54	Unsatis- factory
Burewala	22	27	51	102	50	49	Not Available	Nil	63.08	Unsatis- factory
Hafizabad	70	10	20	78	63	80	LF	Nil	13.61	Fair
Wazirabad	40	30	30	55	33	60	O	Nil	66.7	Unsatis- factory

⁵⁶ Ibid.

⁵⁷ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

⁵⁸ Engr. M. Iftikhar Rasool, *General Manager (Engg.)/ Deputy Project Director Punjab Cities Program*, interview by Author, Lahore, 8 November, 2021.

⁵⁹ Abid Hussainy, *Senior Specialist, Environmental and Social Safeguards, The Urban Unit*, interview by Author, Lahore, 6 November, 2021.

⁶⁰ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

2.3.2 Gaps in Service Delivery

Large areas in these cities remain unserved. In Burewala, Bahawalnagar, Hafizabad and Wazirabad, 33, 20, 51 and 30 percent areas respectively have no SWM services available.⁶¹ Except Bahawalnagar, all other cities remove only half of the waste generated / day which is extremely inefficient. Furthermore, three out the four cities dispose waste by open dumping without any compacting or environmental covering. This is extremely unhygienic and hazardous to the environment. This practice results in contamination of sub-soil water, facilitates the spread of vector and water borne diseases and creates insanitary conditions for the citizens. The MCs do not collect any sanitation fees. Consequently, they end up bearing all the expenditure on O&M. The MCs have poor planning capacities for SWM and lack strategic direction.⁶² Inadequate equipment, lack of its repair and maintenance, and inadequate workforce with MCs for the SWM function are major issues.⁶³ For example, Hafizabad has only eight (08) tractor trolleys, three (03) front loaders, two (02) mini dumpers and one mechanical sweeper. Of these, five (05) tractor trolleys and all the other equipment is in need of repair to some extent or the other.⁶⁴ The city has only 139 sanitary workers supervised by seven (07) supervisors;⁶⁵ absenteeism is common among them. Most of them have private jobs as well where they end up spending most of their time.⁶⁶ According to an assessment, the city needs at least 200 more sanitary workers, 10 sanitary supervisors and 10 drivers.⁶⁷

2.3.3 Challenges

The MCs are confronted with several challenges related to SWM. First, the availability of a sanitary landfill site in every city is important so that the waste could be disposed of in a hygienic and environmentally friendly way. However, land acquisition for the landfill and its construction are expensive. Efforts to identify suitable locations for landfills are underway at the MCs of Burewala, Wazirabad and Hafizabad.⁶⁸

Second, the MCs need adequate equipment and sanitary workers to provide better services. However, they need support of the provincial government and funds to procure equipment and recruit sanitary workers.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Haider Ali Chatta, *Chief Officer, Municipal Committee, Hafizabad*, interview by Author, Lahore, 7 November, 2021.

⁶⁴ Ibid.

⁶⁵ Municipal Comiittee Hafizabad, *Service Delivery Detail*. n.d, <http://www.mchafizabad.lgpunjab.org.pk/SDD.html> (accessed November 30, 2021).

⁶⁶ Haider Ali Chatta, *Chief Officer, Municipal Committee, Hafizabad*, interview by Author, Lahore, 7 November, 2021.

⁶⁷ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

⁶⁸ Ibid.

Third, O&M in SWM is very expensive. The current model, where the MCs pay for all the expenses is unsustainable. Consequently, the MCs are not able to provide satisfactory services and large areas remain unserved.

2.4 Roads

2.4.1 Current Situation

Roads in the cities of Punjab are categorized into (i) National Highways, (ii) Punjab Highway Roads, (iii) District Roads, and (iv) Municipal Committee/Corporation Roads. Only the roads under the last category i.e. Municipal Committee Roads category are managed by the MCs. The roads under this category are generally in poor condition and need reconstruction or maintenance. For example, in case of Hafizabad, out of a total of 72.15 kilometers (kms.) of the MC Roads, 27.25 kms. are in poor condition and need maintenance. Similarly, in Wazirabad, 15.28 kms. of MC Roads out of the total 25.68 kms. are in bad shape and need immediate repair and maintenance.⁶⁹

2.4.2 Gaps in Service Delivery

Urban transport service is not available in any of these cities. People use motorcycles, bicycles, rickshaws, or cars for commuting to work or schools. With increase in ownership of cars, congestion and issues of parking are increasing.⁷⁰ Sidewalks for pedestrians are not available in most of the cases, which makes urban roads unsafe for pedestrians.⁷¹

2.4.3 Challenges

One of the major challenges regarding roads is the coordination of the MCs with various agencies which own different roads in the cities.⁷² These agencies include the National Highway Authority, Provincial C&W Department and District Councils. They are often not responsive to the MCs. Secondly, these cities are increasingly facing congestion. Several roads need widening but sufficient land is not available to allow road widening. Making these roads pedestrian friendly in the wake of increasing motorized transport is also a significant challenge.

⁶⁹ Punjab Municipal Development Fund Company, *Gap Analysis of Municipal Services Infrastructure & Service Delivery in Bahawalnagar, Burewala, Hafizabad and Wazirabad*, Lahore: Punjab Municipal Development Fund Company, 2018.

⁷⁰ Haider Ali Chatta, *Chief Officer, Municipal Committee, Hafizabad*, interview by Author, Lahore, 7 November, 2021.

⁷¹ Ibid.

⁷² Umar Mukhtar, *Chief Officer, Municipal Committee, Bahawalnagar*, interview by Author, Lahore, 7 November, 2021.

2.5 Institutional and Capacity Challenges

The MCs across the Punjab are confronted with several institutional and capacity challenges, which are cross cutting and affect the municipal service delivery across all sectors. Some of these are described below:

First, the MCs of small cities have limited planning capacity to undertake holistic and integrated planning for water supply, sewerage, drainage, solid waste, and urban mobility.⁷³ In many cases, lack of capacity in terms of qualified engineers, skilled workers and staff is more challenging than not having enough funds.⁷⁴ Investment planning and asset management are weak. Investment decisions are not evidence-based and do not aim to respond to the priority needs of citizens.⁷⁵ Currently, investments are either driven by politicians or are undertaken in response to a crisis. Furthermore, these cities also lack master plans or Outline Development Plans to guide investments. Consequently, development takes place in a haphazard way.⁷⁶

Second, frequent changes in the local government system have also affected service delivery and created confusion at the local level. The Punjab Local Government Ordinance (PLGO) 2001 was replaced with the PLGA 2013. This resulted in increase of local governments which has not been matched by an increase in the number of staff or appropriate support to transition to the new system. After a few years, the PLGA 2013 was again replaced with PLGA 2019. The Punjab Government is now planning to introduce Punjab Local Government Act 2021.⁷⁷ Indeed, as noted earlier, the constituency for local governance is very weak.

Third, the local governments are dependent on Provincial Finance Commission (PFC) grants for their finances. The intergovernmental fiscal transfer system in Punjab lacks predictability, clarity, and transparency.⁷⁸ As a result, autonomy of the local governments is undermined. Ad hoc transfers through the Members of Provincial Assembly (MPAs) are common.

2.6 Punjab Cities Program (PCP)

The Punjab Government is currently implementing the US\$ 200 million PCP with the support of the World Bank. This Program is targeting 16 small cities of Punjab

⁷³ Engr. M. Iftikhar Rasool, *General Manager (Engg.)/ Deputy Project Director Punjab Cities Program*, interview by Author, Lahore, 8 November, 2021.

⁷⁴ Farvacque-Vitkovic, Catherine, and Mihaly Kopanyi, *Municipal finances: A handbook for local governments*, Washington D.C.: World Bank Publications, 2014.

⁷⁵ The World bank, *Project Appraisal Document*, Washington, DC, USA, February 21, 2018.

⁷⁶ Abid Hussainy, *Senior Specialist, Environmental and Social Safeguards, The Urban Unit*, interview by Author, Lahore, 6 November, 2021.

⁷⁷ The Express Tribune. *LG Act 2021 draft sent to law dept*. November 20, 2021.

<https://tribune.com.pk/story/2330203/lg-act-2021-draft-sent-to-law-dept> (accessed November 22, 2021).

⁷⁸ Farvacque-Vitkovic, Catherine, and Mihaly Kopanyi, *Municipal finances: A handbook for local governments*, Washington D.C.: World Bank Publications, 2014.

including Bahawalnagar, Burewala, Hafizabad and Wazirabad. The objective of this program is to bridge gaps in MSD in these cities and provide support for strengthening their MCs. The Program started in 2018 and is expected to close in 2023. According to the latest Implementation Status and Results Report, released by the World Bank in August 2021, the Program is on track to achieve its development objective and its implementation progress is satisfactory.⁷⁹ Out of the total US\$ 200 million, an amount of US\$108.29 million has been disbursed; 15 out of 16 MCs have achieved their disbursement linked results.

Conclusion

The small cities of Punjab have varying degrees of basic infrastructures for municipal service delivery. They have also received financial and technical support from the Punjab Government. However, service delivery is far from satisfactory. Large areas of these cities are not served by water supply systems. Due to poor infrastructure and resultant contamination, the quality of water is poor at most of the places. The coverage of sewerage systems ranges from 60 to 65 percent of the cities' areas. None of the cities has a wastewater treatment plant. The condition of SWM is generally unsatisfactory. Most of the cities do not have a landfill or a dump site.

The MCs of these cities which are responsible for service delivery are confronted with several administrative, financial, and operational challenges. Elected local governments which could have improved service delivery on account of being closer to citizens and having a better understanding of their needs⁸⁰ have generally been absent (due to a higher level political lack of interest). Whenever, these were present, they have had limited autonomy as compared with the autonomy guaranteed under Article 140A of the 1973 Constitution of Pakistan.⁸¹

The financial practices of the MCs are also not sustainable because the recoveries of expenditure incurred on service provision is extremely low. They have limited OSR and are dependent on fiscal transfers from the provincial government. The MCs do not have enough resources to undertake capital investments on new infrastructure and adequately maintain the existing infrastructure. The operations of these MCs are also inefficient. They end up wasting a lot of water in the form of NRW and do not adhere to energy conservation practices. Urban roads in these cities belong to different agencies which operate in silos. Consequently, the road assets management is poor and results in poor mobility.

⁷⁹ The World Bank, *Implementation Status & Results Report*, The World Bank, 2021.

⁸⁰ Ming Zhang, *Local elections in Pakistan: A chance to improve public services*, December 22, 2015, <https://blogs.worldbank.org/endpovertyinsouthasia/local-elections-pakistan-chance-improve-public-services> (accessed November 15, 2021).

⁸¹ National Assembly of Pakistan, n.d, http://www.na.gov.pk/uploads/documents/1549886415_632.pdf (accessed November 11, 2021).

With the expected increase in population of small cities, their municipal infrastructures are going to come under further pressure. This may result in deterioration of service delivery and environmental degradation. For 16 PCP cities, there is a huge opportunity to benefit from investments under the Program to improve their municipal infrastructure and build capacity of their employees.

Improvement in the delivery of municipal services is essential in order to fulfill the country's commitments under the SDGs. The following recommendations could be helpful in this regard.

Recommendations

A. Institutional

1. Local governments (LGs) should be provided necessary administrative, financial, and political autonomy as envisaged under Article 140A of the Constitution of Pakistan and their elections should be held regularly.
2. All cities should prepare their master plans.
3. To the maximum extent possible, municipal authorities in Pakistan should outsource municipal services under public private partnership (PPP) contracts. Different PPP models have been experimented in India⁸² and other countries, indicating their financial viability.⁸³

B. Financial

4. More authority should be devolved to the LGs to enable them to collect more OSR.
5. Service delivery charges must be rationalized by being based on the expenditure incurred on services to make their financing sustainable.
6. Fresh surveys should be conducted for water, sewerage and SWM consumers to bring out of the network consumers into the billing network.

C. Operational

7. The inefficiencies in the form of NRW should be reduced by improving the distribution network. Consumers should be charged based on their water

⁸² Gopal K. Sarangi, "Towards a Public-Private Partnership Regime: An Analysis of Water-supply Systems in Urban India", *ASIEN*, 2010: 45-57.

⁸³ Ibid.

consumption as opposed to the current fixed tariff. Similarly, potential areas for energy conservation should also be investigated and implemented.

8. Capacity building of MCs should be undertaken in terms of equipment, upgradation of existing systems and processes as well as training for their employees. There is a huge opportunity of using ICT.

D. Environmental

9. All the cities should be provided with sanitary landfill sites and wastewater treatment plants by the provincial government with the assistance of international development partners.

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